The Outlook

VOLUME 92 JUNE 5, 1909 NUMBER 6

PUBLISHED EVERY SATURDAY. REGULAR WEEKLY NUMBERS FIVE CENTS
MAGAZINE NUMBERS (FOURTH ISSUE OF EACH MONTH) FIFTEEN CENTS
YEARLY SUBSCRIPTION — FIFTY-TWO ISSUES — THREE DOLLARS IN ADVANCE

ENTERED AS SECOND-CLASS MATTER AT THE NEW YORK POST-OFFICE

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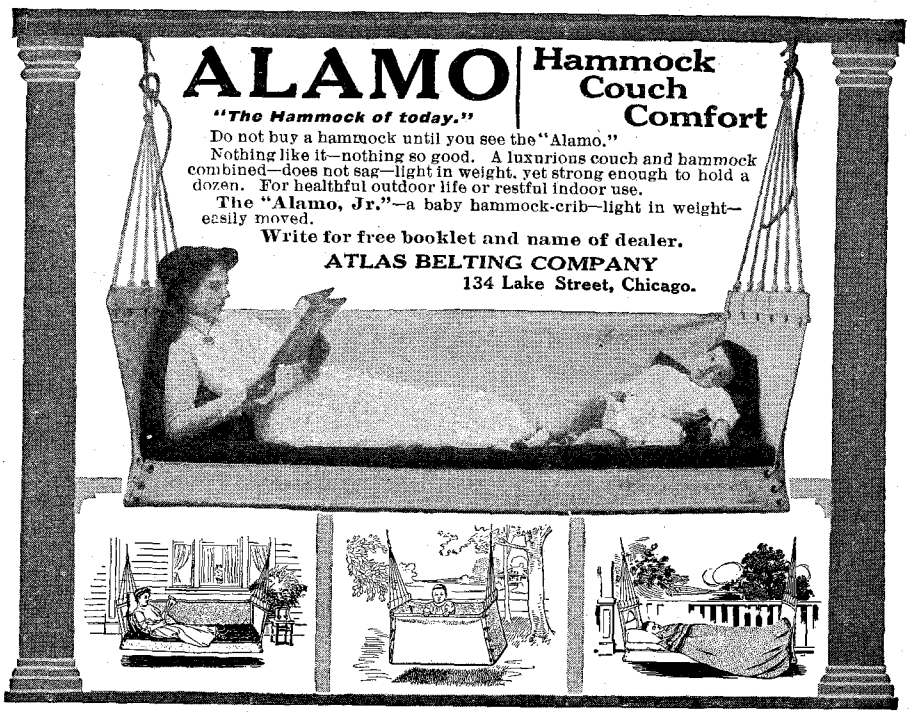

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The Outlook

5 JUNE, 1909

PUBLISHED WEEKLY BY THE OUTLOOK COMPANY, 287 FOURTH AVENUE, NEW YORK
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NEWSPAPER GOSSIP AND MR. ROOSEVELT

The Outlook has received a number of letters which indicate that many good people in various parts of the country are more or less disturbed by the sensational and we believe untrustworthy newspaper stories and despatches purporting to give accounts of how and when and why Mr. Roosevelt is doing his hunting in Africa. We have no knowledge from any source which will enable us to form any opinion whatever as to how many days a week Mr. Roosevelt is occupied in making the natural history collection which is the prime object of his expedition, or of how many animals he has shot or captured, or of how he manages his camp, or of what his relations with the natives are, or whether he rides on horseback, camelback, or elephant-back. One thing, however, we do know. No confidence whatever should be placed in newspaper despatches pretending to give detailed accounts of Mr. Roosevelt's daily life and actions. The very fact that such accounts are given in the newspapers is *prima facie* evidence of their unreliability. We quote again what Mr. Roosevelt stated over his own signature in these pages last March just before his departure:

> After I reach the wilderness of course no one outside of my own party will be with me, and if any one pretends to be with me, or pretends to write as to what I do, his statements should be accepted as on their face not merely false but ludicrous. . . . So far as possible I shall avoid seeing any representative of the press, and shall not knowingly have any conversation on any subject whatever with any representative of the press beyond exchanging the ordinary civilities or courtesies.

This is confirmed by a cable despatch from the correspondent of the United Press sent from Nairobi on May 25. The original despatch lies before us, and reads as follows:

> Roosevelt, when asked to-day regarding sensational specials appearing in some American papers, authorized following statement by United Press: "No papers have individual representatives with party or means of information as to what is doing save what is generally known. Any so-called specials to individual newspapers can be set down as sheer inventions. Moreover, any information purporting to be specially obtained by individual papers can only come by bribery and from a dishonorable man who is capable of taking or giving a bribe and capable of inventing untruth for money or trafficking in any other form of dishonor."

Of course Mr. Roosevelt is powerless to prevent newspaper correspondents in villages or settlements along the railway near his encampment from sending to this country such gossip as they are able to pick up or to manufacture concerning his daily doings, but it is clear to any reasonable man that the newspapers, and not Mr. Roosevelt, are to be held responsible for this gossip, which he made every effort to escape in going to Africa. Before The Outlook forms any opinion as to the actual accomplishments of Mr. Roosevelt in Africa it will wait for his own description of the expedition, which will be published in Scribner's Magazine, and it advises those of its readers who have evinced enough interest in the matter to write letters of inquiry or of anxious protest to do the same.

THE SPIRIT OF THE ROOSEVELT ADMINISTRATION

In New York City last week a Roosevelt Administration window was dedicated at the Metropolitan Temple. The window occupies a place near the McKinley memorial window. The principal speech on the occasion was made by the Hon. Oscar S. Straus, ex-Secretary of Commerce and

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Labor, who was recently appointed Ambassador to Turkey. Mr. Straus's subject was "The Spirit of the Roosevelt Administration." As the speaker said, the growth of what is now known as the capitalist class followed the French Revolution and particularly the uprisings of 1848. This growth developed the modern commercial spirit, which rooted out old class prejudices and tore down the political barriers that enchained the masses.

It dignified labor and elevated the laborer from serfdom to a free agent, with rights as distinguished from restricted benevolent privileges such as the master concedes to his servants. In the wake of this change and by reason of it came about those marvelous mechanical inventions in every sphere of industry which multiplied a hundred-fold the productiveness of human effort. The power of the capitalists, which grew with increased production, rested upon the growing intelligence of labor, and with this intelligence there developed organization and demands on the part of the wage-earners for shorter hours, better wages, and higher standards of life and living; in other words, a striving for better conditions, for social justice—in the graphic language of President Roosevelt, a demand for a "square deal."

Mr. Straus gave a good definition of the "square deal." It "signifies equal justice to all, guarding the rights of capital and checking the greed of the capitalist, preventing the encroachment of corporate power upon governmental functions, and opening wide the highways of opportunity for the individual American, protecting him in his economic rights, reducing his justified grievances in the light of the modern standards of life and his requirements as a free agent in a free community." According to Mr. Straus, our country has passed through two distinct stages in its development: (1) its national construction period under the Fathers; (2) the civil rights, or preservative, period. We are now in the third stage, the period of social justice. Each of these periods brought to the Presidency the philosopher and statesman equipped with the qualities of heart and mind to lead the country—Washington, Lincoln, Roosevelt. Every measure and policy of the Roosevelt Administration, as the speaker justly asserted, was based not alone upon moral convictions but upon a statesmanlike forethought and forecast for the future of the country.

None of our Presidents has possessed in an equal degree a mind so enriched with a historian's knowledge of the past combined with a statesman's foresight of the future, as Roosevelt. His measures have all been conceived under the guidance and inspiration of this dual equipment. . . . Differ with him as you may as to details and criticise the power and tremendous energy with which he drove forward his uplifting measures, all must recognize the effectiveness of his high purposes in directing the material forces of our economic age so as to protect and better the opportunities of life and living for the average American man, woman, and child.

THE BUDGET SYSTEM

The President of the United States and the Governors of two leading States have recently taken important action in the direction of a more thorough revision of public expenditures. President Taft has reduced the estimates of the War Department about thirty-four million dollars; the Governor of Pennsylvania has vetoed appropriations amounting to several millions of dollars; and Governor Hughes has put his veto on appropriations for about four millions. Economy in the case of States as well as individuals does not always mean simply reduction of expenditure—mere saving of money. It is sometimes more economical to spend money than it is to keep it; it is often wise to incur considerable indebtedness. The trouble in this country has been not so much willful extravagance as the failure to bring appropriations and economy into right relations. In the case of States, as of individuals, a few general principles ought to be followed: No money ought to be spent which the State or the individual has not in hand or within reach; all appropriations made ought to take into consideration the relative importance of the objects for which money is spent; all appropriations ought to be made for objects and along lines which will secure the largest effectiveness for the money spent. A man ought not to buy a new suit of clothes if he cannot pay for it; he ought not to buy a new suit of clothes if he cannot afford to buy his wife a new gown; he ought not to buy two suits of clothes because they are cheap, without regard to their quality, with money which would buy one suit of thoroughly good material and make. So far, in this country, both at Washington and in the State capitals, legislative bodies have made

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appropriations without much reference to whether the money was in hand or not, to the relative value of the appropriations, or to the effectiveness of the expenditure. President Taft, as has already been reported by The Outlook, is formulating a plan which will bring the income and the expenditures of the various departments of the National Government into close relations, and will lay before Congress the amount which can be spent as well as the amount which is proposed to be spent; and Governor Hughes is devising a similar scheme for the State of New York. This is simply applying to the expenditures of the Government the methods and rules which control the expenditures of men and women of sound judgment.

PROTECTION'S FAVORS TO FOREIGNERS

For a long time it has been believed that "protected" American manufacturers have been selling their products at lower prices to foreigners than to their fellow-citizens. Until recently, however, it has not been known that this had become a recognized practice. The latest testimony to that effect is in a pamphlet prepared by Mr. James G. Parsons, Secretary of the Tariff Reform Committee, and entitled "Protection's Favors to Foreigners." In this pamphlet is set forth the practice of manufacturers who sell for export at one set of prices, necessarily low enough to get the trade in foreign markets, and in the home market at another set of prices, kept as high as the tariff, with the combinations and agreements fostered by it, will permit. According to the testimony collected in this pamphlet, leather, for instance, is sold at five to ten per cent below domestic prices; lead, at little more than half the home price; and steel rails at ten dollars a ton less than the price in this country—$28 to $32. Regarding the last-named commodity, the tariff hearings last December afforded a mass of information. The testimony of Mr. Schwab, President of the Bethlehem Steel Company, deserves citation, especially the following passage between him and the Hon. Champ Clark, the Democratic leader of the Committee on Ways and Means:

Mr. Clark: Do you know of your own knowledge what is the greatest discrepancy there ever was between the home price of steel rails and the foreign price?

Mr. Schwab: The greatest discrepancy?

Mr. Clark: Yes.

Mr. Schwab: You mean how high in this country and how low in Europe?

Mr. Clark: How much lower did American manufactured steel rails sell for abroad as compared with what they sold for at home?

Mr. Schwab: I should say probably $10; I am not sure of that, however; that is merely a guess.

Mr. Clark: It is a habitual process to sell them cheaper abroad, is it not?

Mr. Schwab: Yes, sir; and a very wise process. . . .

Mr. Cockran: Could you explain the wisdom of it to the victims of it as well as to the beneficiaries of it? From the point of view of the American consumer, where does the wisdom of it come in?

Mr. Schwab: I am not thinking of the consumer. I am thinking of the manufacturer. (Laughter.) I presume there is no argument there.

Mr. Cockran: There is no argument there. The more you get the merrier.

Mr. Schwab: I have said it was a wise provision for the manufacturer. You cannot let a steel plant stand idle. The fires in your furnaces and the heat costs go on whether you are making steel or not.

Mr. Cockran: You said as a matter of fact that there are different rates charged for your products abroad, and you charge less abroad than you charge at home?

Mr. Schwab: We usually charge abroad what we can get.

Mr. Cockran: You do that at home, do you not?

Mr. Schwab: Yes, of course.

Mr. Cockran: You cannot, of course, put a pistol to a man's head and take all he has.

Mr. Schwab: You can in some instances; yes.

In so essential a commodity as sugar, Mr. Parsons declares that refined sugar has been exported to Great Britain at 2.6 cents a pound when the wholesale price in this country was 4.55 cents, the difference in favor of the foreign consumer being 1.95 cents, the exact amount of the duty on refined sugar! The protection given to the Sugar Trust "is equivalent to 78.7 per cent *ad valorem*. Mr. Parsons further informs us that

Something like six billion pounds of refined sugar are consumed annually in this country, of which the Sugar Trust refines about four billion five hundred million pounds, or seventy-five per cent. Yet this giant industry, noted for its enormous profits and great accumulated wealth, not content with its extreme protection (the net protection on refined sugar is from sixteen to twenty cents per hundred pounds, while the total labor cost of refining does not exceed ten cents)

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has deliberately cheated the Government by false weights of over two million dollars during the past ten years.

The following further instances are taken from Mr. Parsons's tables of differences between export and home prices:

Articles and Description.	Export Price.	Home Price.	Percentage of Difference.
Watches, Elgin movement, 20-year gold-filled case, each	$7.98	$10.23	28
Watches, Elgin movement, silvered case	3.04	4.47	47
Shot Guns, Stevens' No. 105, each	2.80	4.25	52
Screws, round head, size ½ in., No. 1, per gross	.034	.087	156
Screws, flat head, size ¼ in., Nos. 1 to 4, per gross	.034	.073	115
Saws, Disston's, framed wood, No. 60 per doz.	6.00	9.00	50
Saws, Disston's band, 2-in., 18-gauge, per foot	.157	.26	65
Lamp Chimneys, Macbeth's, No. 502, per doz.	.40	.68	70

The above figures indicate, of course, that our tariff duties are unnecessarily high, even from a protectionist's point of view. Any industry which regularly sells its product abroad at lower than domestic prices shows that it no longer needs protection.

AN ATTEMPT TO RESTRICT THE COCAINE HABIT

While in general we believe that revision of the tariff means a reduction and sometimes even an abolition of duties on imports, some of the manufacturing and wholesale chemists are making an appeal for a very high duty on cocaine, that ought to be approved by free-traders and protectionists alike. Cocaine is manufactured from the leaves of the coca plant, which is grown chiefly in Peru and Bolivia, although a little comes to this country from Java. There is at present no duty on the importation of coca leaves, so that anybody can bring them into the country, although a duty of about fifty cents per ounce is imposed upon manufactured cocaine. The legitimate use of cocaine is as an anæsthetic in surgical operations, chiefly in cases of the eye, ear, nose, and mouth. Its surgical use has been of the utmost value in alleviating pain and suffering; but, unfortunately, the so-called cocaine habit has grown to such proportions in this country that nearly fifty per cent of the manufactured and imported cocaine is used perniciously by victims of the habit. At the present time American manufacturers of cocaine cannot control the retail consumption of the drug, and have no power to tell whether, when it is purchased of them by the retailer, it will be used by the surgeon or the debauchee. For the sole purpose of controlling and regulating the sale of this dangerous drug, the six American manufacturers who produce it, with the hearty approval of the leading wholesalers, have asked Congress to place a prohibitory duty of two dollars per ounce upon cocaine and its salts and derivatives. They also ask that a moderate duty be placed upon coca leaves, which, while it will increase the price to them of their raw material, will produce a revenue to the Government. This revenue will at least compensate for the revenue which will cease with the exclusion of manufactured cocaine. The duty on coca leaves will also make it possible to trace all importations of the leaf. State laws have done something to control the illegal sale of cocaine, but unscrupulous retailers, when their supplies are now refused by American wholesalers, import the drug from abroad. This renders ineffective regulation by the separate States, for if the retailer wishes to pander to the illegitimate demand he can now conceal his source of supply. This movement of the American manufacturers, which is being conducted by Dr. William Jay Schieffelin, the head of the well-known chemical firm of Schieffelin & Company, cannot be ascribed by even the most cynical to a wish for increased profits, for the entire annual retail value of the cocaine sold in this country amounts to only $450,000. The increase in price to legitimate users of cocaine would be very slight. The Committee of One Hundred on National Health, of which Professor Irving Fisher, of Yale University, is President, has approved of this imposition of a high duty on cocaine on hygienic grounds. As a rule, we do not believe it wise to use a tariff tax as a means of accomplishing a social reform. The only natural functions of a protective tariff are first to raise revenue, and second to encourage home manufactures. But the peculiar conditions existing in the cocaine trade justify the public-spirited attempt which these manufacturing chemists are making to use the tariff in behalf of a much-needed social reform.

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IN CONTEMPT OF THE SUPREME COURT

The Supreme Court of the United States last week rendered a decision the practical execution of which will probably have the effect to teach a lesson—which is needed in this country—that decisions of the courts cannot be with impunity nullified by individuals who object to them. A negro who had been sentenced to death by the local courts, and in whose case the Supreme Court had interfered by granting an appeal which had the effect to delay the execution of the sentence, was taken out of the jail in Chattanooga by a mob and put to death. There was no resistance on the part of the jail officials, and proceedings were taken against the sheriff, his deputy, and some others for contempt of court. The Court has found them guilty of contempt, and issued attachments for their arrest. In the reports before us the punishment to be inflicted is not stated. The ground of the action of the Court is thus stated by the Chief Justice:

> He [the sheriff] evidently resented the necessary order of this Court as an alien intrusion, and declared that the Court was responsible for the lynching. According to him, "the people of Hamilton County were willing to let the law take its course until it became known that the case would not probably be disposed of for four or five years by the Supreme Court of the United States; but," he added, "the people would not submit to this, and I do not wonder at it."
>
> In other words, his view was that because this Court, in the discharge of its duty, entered the order which it did, therefore the people of Hamilton County would not submit to its mandate, and hence the Court became responsible for the mob. He took the view expressed by several members of the mob on the afternoon of the 19th, and before the lynching, when they said, referring to the Supreme Court, "They had no business interfering with our business at all." His reference to the "people" was significant, for he was a candidate for re-election and had been told that his saving the prisoner from the first attempt to mob him would cost him his place, and he had answered that he wished the mob had got him before he did.

Assuming the facts to be as stated by the Chief Justice, The Outlook expresses its gratification at the action of the Supreme Court in this case. If it is true, on the one hand, that our courts are sometimes culpably dilatory in dealing with criminal cases, it is true, on the other, that to allow the mob to take the execution of the law into its own hands whenever it is dissatisfied with the action of the courts would be to prescribe a remedy far worse than the disease. This is anarchy of the most intolerable description. It ought, however, to be added that three of the Justices of the Supreme Court dissent, on grounds thus stated by Justice Peckham:

> The sheriff was sixty-three years of age at this time, and, on account of his physical condition, unable in any event to have offered any great resistance. There were at least ten or fifteen of the men around him who were armed, and the sequel proved that many more in the crowd were also armed. Others were standing back looking on. Whether the sheriff might possibly have been quicker with his gun and taken it out of his pocket and shot some of them is not certain from the evidence, but the odds of even ten or fifteen to one are somewhat large, and that he did not kill or attempt to kill any of them is no evidence whatever of complicity with these miscreants, and certainly no evidence of contempt of this Court. It seems to me most extraordinary that even an official under these circumstances can be found guilty of a contempt because in fact he did not resist to the death.

If the facts are correctly stated by the dissenting opinion, the case does not appear to be so clear, and The Outlook raises the question whether the law ought to allow a court to punish for contempt except by a unanimous judgment. Presumably the court is always interested in enforcing its own orders, and we doubt whether the law ought to allow the court to inflict the penalty for contempt of those orders when the minority of the court are of the opinion that no contempt has been committed. The Supreme Court has, of course, to enforce the law as it exists, but The Outlook may at least raise the question whether the law ought not to be changed.

THE NEW SENATOR FROM ILLINOIS

The deadlock in the Illinois Legislature over the selection of a United States Senator was broken in a sensational manner on May 26 by the election of William Lorimer, member of Congress from a Chicago district, by the aid of Democrats. Lorimer received 108 votes on the ninety-fifth joint ballot, 103 being necessary to a choice. Fifty-five of the Lorimer votes were cast by Republican

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members of the Legislature, the other fifty-three coming from Democrats. Seventy Republican votes were cast on the decisive ballot for A. J. Hopkins, the outgoing Senator. The new Senator from Illinois is expected to ally himself with the Aldrich wing of the Senate rather than with the group of progressives from the Middle West who are voicing opposition to the Aldrich programme. Lorimer, as a member of the lower house of Congress, has been a strong supporter of Speaker Cannon. He boldly opposed the successful efforts of President Roosevelt to bring about pure food and railway regulation legislation. As a political leader in Illinois he has supported measures in the interest of street railway and gas companies bitterly opposed by the public opinion of his community. While a man of exemplary personal habits, his political affiliations and activities have been much criticised. In political ideas and methods the new Senator from Illinois is much like the late Senator Quay from Pennsylvania, of whom he was a great admirer. Some apprehension is expressed that Lorimer may seek to imitate Quay with respect to machine-building, and utilize his position as Senator to strengthen his political hold upon his State and city. It is somewhat surprising that Illinois, situated alongside of States represented in the Senate by aggressive progressives, like Wisconsin, Iowa, Minnesota, and Indiana, should choose as its Senator at this time a man likely to ally himself with the reactionaries and the "stand-patters." The reply of the progressive element in Illinois is that Lorimer is not really representative of the public opinion of his community, and that he could not have been indorsed had his candidacy been submitted to a popular vote. He was not, indeed, the choice of the majority of his own party's representatives in the Legislature that elected him. The Legislature that made Lorimer Senator has been peculiarly unresponsive to demands for legislation sought by the general public. Chicago's request for charter legislation along home rule lines has been ruthlessly denied. The bill of the cities of the State outside of Chicago for the establishment of the Commission form of government was passed by the Senate but was put to sleep in one of the House committees. Measures to provide much-needed reorganization of the system of managing State institutions and to extend the operation of the Civil Service laws have also been suppressed. The indications at this writing in the closing days of the session are that the Legislature will adjourn with no progressive action to its credit.

A PUBLIC SERVANT AND HIS STEWARDSHIP

William Travers Jerome, the District Attorney of New York County, has for eight years been a picturesque figure in public life. He has dominated two municipal campaigns. Eight years ago his fiery campaigning was probably the strongest factor in the election of the reform administration headed by Seth Low. Four years ago, running on an independent ticket against candidates from the Republican and Democratic parties and the Independence League, he was re-elected, receiving more votes than the successful Democratic candidate for Mayor. His election twice against the powerful opposition of Tammany Hall, with the anti-Tammany forces in 1905 divided into three parts, proved Mr. Jerome's popularity. But during the past two or three years he has been subjected to severe and often savage criticism both from citizens and in a certain section of the New York press. On Wednesday night of last week, as a result of his own voluntary suggestion, he appeared on the platform of the People's Institute, at Cooper Union, and gave to the people of New York County an account of his stewardship. He delivered himself without reserve into the hands of the people who had elected him, agreeing to answer any questions which might be put to him in regard to the conduct of his office during the past seven and a half years. Many of the questions had been sent to him in advance, but more of them were to come from the floor and be answered, as the chairman of the meeting said, "hot off the bat." Before beginning his replies he outlined the duties of his office, told what the District Attorney could do and what he could not do, gave a general account of the work which had been accomplished in his

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office since 1901, and described the investigation of the charges which had been preferred against him before Governor Hughes; and his complete exoneration from those charges. The duties of the District Attorney are of three kinds. First, to prosecute cases sent to his office by city magistrates; second, to prosecute offenses against the criminal law on complaints from any source *accompanied by evidence;* third, to advise and assist the Grand Jury in its inquiries into criminal matters. It is not the duty of the District Attorney to police the city, it is not his duty to prevent vice and crime, to detect and hunt it out or to try to eliminate it from the city, except by prosecution upon complaints accompanied by evidence and brought before him in the proper way. The District Attorney's office deals with thirty thousand criminal cases a year. To handle successfully this mass of work, which the District Attorney does with the aid of thirty-five assistants and a clerical force of one hundred and fifty, keeps him thoroughly occupied without any excursions into fields which it is the duty of the Police Department to cover. "Therefore," said Mr. Jerome, "if a parrot squeaks in the flat above you, go to Bingham [the Police Commissioner], don't come to me."

A SATISFACTORY ACCOUNTING

The questions which were asked Mr. Jerome dealt principally with four subjects: First, his pre-election pledges and the manner in which he had lived up to them; second, the cases growing out of the wrecking of the New York street railways; third, cases growing out of the insurance investigation; and, fourth, cases connected with the Ice Trust. But it was apparent that there was one feeling at the root of practically all the questions. This feeling was expressed by a spread-eagle young orator from the Independence League, who declared that during Mr. Jerome's term of office there had been "one law for the rich and another for the poor." Many of the questions were intricate, and dealt with matters not easy for the layman to understand. But Mr. Jerome's replies, which were as full and detailed as the time at his disposal would allow, showed that this popular feeling was based on a popular fallacy. Public opinion in cases of this sort deals with moral wrongs, and judges guilty those who it has a moral certainty have committed such wrongs. The District Attorney can deal only with offenses against the criminal law, and the courts judge guilty only those of whose wrong-doing there is legal proof. Doubtless there are men associated with traction matters, with insurance matters, with the ice business in New York City, who have committed moral crimes against the community, but it is no business of the District Attorney to bring those men to punishment unless they have violated the criminal law of the State and legal evidence can be found of such violation. In the traction cases Mr. Jerome showed that he had spent nearly a year, in the aggregate, in the most painstaking investigation; that the evidence which he could obtain he had presented to several Grand Juries, and that the best judgment, not only of himself, but of the members of those Grand Juries, was that no legal proof of crime had been found. In the insurance matter fifty-six indictments had been found; only four prominent insurance men in the city, said Mr. Jerome, have not been indicted. The accusations in connection with the Ice Trust were thoroughly investigated and presented by him to two Grand Juries, who refused to indict. The matter was then taken out of his hands by the Attorney-General, and is now before the courts, after having been held up for about ten months by Judge Goff, who was elected on the Independence League ticket. For three hours and a half Mr. Jerome faced the audience of seventeen hundred of his constituents. He replied to every question with unassailable good humor, with frankness, candor, and definiteness. He was as ready and open in his answers when they might seem to be unfavorable to him as when they offered the most complete justification of his actions. He displayed in undiminished measure the peculiar power as a public speaker and the especial charm of personality which twice helped to bring about his election. He emerged from the ordeal signally successful. He had met his critics face to face, and in spite of their best efforts had afforded

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them small comfort. A larger proportion of the audience was apparently with him at the end than at the beginning. Some of the criticism of Mr. Jerome is undoubtedly sincere; much of it is no less surely dictated by self-interest, prejudice, or less worthy motives. The critics of the latter class are not open to conviction. Probably those who have a blind feeling that he has prosecuted the poor man and let the rich offender go unscathed are little less open to persuasion. But Mr. Jerome's account of his stewardship will be welcome to those reasonable people who have not been quite sure that he has done his whole duty without fear or favor.

GROWTH OF BANK DEPOSIT GUARANTY

On July 1 four Western States will have laws providing for the guaranty of bank deposits. Oklahoma adopted such a statute one year ago; Kansas, Nebraska, and South Dakota have done so at the sessions of their Legislatures just adjourned, the provisions to take effect as soon as the machinery for their operation is completed. Texas has followed their example, and Colorado is likely to be added to the list, making a great group of Western States imbued with the same idea. While the commonwealths have varied in the details of their statutes, all tend to the same end—the union of all State banks in a mutual association to pay in full, by assessment, the depositors of failed banks. In Oklahoma and Nebraska it is made compulsory for the banks to enter the agreement; in South Dakota and in Kansas it is a voluntary agreement under the management of the State Banking Departments. The effect is, however, the same. In the States where an option may be exercised the banks are almost unanimously preparing to join the association, fearing rivalry and public sentiment if they do not. Likewise there are differences in the extent of assessments possible; but all have the same end in view, the satisfaction in full of every depositor's claim. The National banks, by a ruling of the Comptroller of the Currency and an opinion by the Attorney-General, have been refused permission to join the State banks in any guaranty plan, under either a limited or an unlimited assessment. In Oklahoma many National banks have given up their Federal charters and have reorganized as State banks on this account, and it is reported that the same procedure will follow in the other States when the new laws become effective. That there is in the Middle West a sentiment for this idea in banking is evident from the fact that the movement is not confined to one political party. The entire administration of Kansas is Republican, that of Nebraska is Democratic, yet both States have written the bank guaranty law on their statute-books. In the opinion of many students of economics it is probable that deposit guaranty laws will be adopted by many more States, and will be tested over a large part of the interior. While at first the plan received the support of many influential bankers who believed it would bring from hiding large sums now withheld from their deposits and from circulation and would lessen the danger of "runs," thus insuring more stable conditions, of late the bankers have been more active in opposition. They point to the increase in deposits during the past year in States without guaranty in practically the same proportion as in Oklahoma, where the law has been in force. They object to the compulsory upholding by the strong bank of the weak institution, and say no advantage is gained from a large capital and abundant assets. They claim, too, that the plan enables the reckless banker to operate to the disadvantage of the conservative one and so opens the door to financial dangers. This last, however, is largely predicated on a recurrence of stringency, when banks will be compelled to shorten sail and demands upon them will be severe

WHY BANK GUARANTY IS POPULAR

The opinion of the bankers has apparently had little effect either on public sentiment or on the legislators. The number of depositors has increased immensely in the West during the past decade of prosperity. The percentage of farmers among these is large. They are, as a class, less closely interested in the bank than the merchant or professional man, who is likely to be a borrower as well as a depositor. The farmer's one

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idea is safety, and any plan that he believes will insure his savings appeals to his judgment. When the politician at first proposed to furnish this assurance, it met with approval, and as the movement spread it became irresistible, both as a political slogan and as a promise of absolute protection against loss. During the past ten years very few banks have failed in the West; business has been on the up grade constantly. In the decade preceding, failures were numerous and losses great. The prosperous Westerners of to-day went through the years of financial stress, and they are not forgetful of the experiences endured. The flurry of the autumn of 1907 brought a keen appreciation of what might happen, and made it easy for a plan declared equal to prevention of danger to gain followers. This it was, more than anything else, that gave impetus to the guaranty movement, resulting in a popular sentiment throughout the agricultural States for laws embracing its theories. Whatever may be its weaknesses and its inadequacy in time of general financial distress, it appeals to the man with money in the bank—and in a community where this class of persons is in the majority it is useless to discuss the question of economics or of basic principle. The movement has already made such progress that its operation is likely to be continued for years, and other States will, without doubt, join those already making the experiment—if for no other reason, because of the injury done to their own banks by the competition set up along their borders where they are neighbors of commonwealths having the guaranty law. The test of the new idea in bank management in the West will come when there is a period of financial stringency; while business continues to be prosperous there will be little opportunity to determine its efficiency as a panacea for the embarrassments that afflict bankers when the depositor is alarmed. If it be of sufficient influence even to prevent nervousness on the part of depositors, it will accomplish much, and may be worth its cost. It is too early to determine this, or the actual workings of the guaranty; one year of good times does not furnish a real test. The West seems determined to try the scheme, and it will be interesting to the rest of the country to learn the outcome.

ANOTHER HAGUE DECISION

When, several months ago, several deserters from the French Foreign Legion, while under the protection of the German Consulate, were seized by French officials, there were scare lines in the newspapers, and grave apprehensions were felt for the peace of the world. The matter at issue was really one of minor consequence; but there were those who instantly felt that the honor of both countries was at stake, and the situation presented possibilities of disturbance which made Europe very anxious. The settlement of this difficulty by the action of the Court of Arbitration at The Hague was announced on Sunday of last week in the quietest possible manner, as if it were an event of every-day importance; which illustrates again the prevalent editorial instinct to estimate the importance of events by their sensational aspect rather than by their real significance. The settlement of the dispute between Germany and France at The Hague is another impressive chapter in the history of the abolition of war, and one of those events which stand out as matters of the very first importance to the whole world. Telegraphic summaries of the decision indicate that the Court censured the secretary of the German Consulate at Casablanca for endeavoring to bring about the embarkation of German deserters from the French Foreign Legion who were not of German nationality, and declared that the Consulate had no right to protect even deserters who were of German origin, and that the Consul committed an error in signing their safe conduct; but that this does not, in the opinion of the Court, constitute an international fault. The Court declared also that the French military authorities were wrong in failing to respect the *de facto* protection exercised by the German Consulate, and that the circumstances did not justify the French soldiers in threatening the consular agents with revolvers, or in ill-treating the Moroccan troops attached to the German Consulate. The decision closes with the statement that it is un-

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necessary to deal with the other claims of the litigants. It will be seen that the solution of what threatened to be an international problem was really very simple when it was taken out of the court of prejudice and passion into the court of reason. The officials of both countries are declared to have been wrong in various particulars, and each country must apologize to the other. How absurd it would have been, and how unjustifiable, if such an incident as this had been expanded in importance to a war between two first-class Powers! As a matter of fact, there was no question of honor involved; and the real matter at issue was so insignificant that war about it would have been a crime, not only against civilization, but against elementary common sense. The same sort of confusion of ideas which supports what is called the "unwritten law," on the ground that it is necessary for the justification of honor, is behind a great deal of the talk about national honor. In the case of the unwritten law the appeal is usually made by people who have failed to show even an elementary sense of honor; and in the cases in which national honor is involved it is often true that what is called a sense of honor is really nothing more than offended vanity. Every decision by the Hague Tribunal is a step forward in civilization.

THE PARIS STRIKE

For the time being, at least, the Clemenceau Cabinet has been successful in dealing with its striking employees; and if cable reports are to be trusted, the Premier is wisely using the occasion of his victory to remove the grounds of just complaint on the part of the employees. Parallel with his endeavor to re-establish discipline in the Postal Department, he has formulated a method of redressing genuine grievances of all civil employees with regard to patronage and favoritism in promotion; and it is reported that the measure which he has framed regulating the status of the servants of the Government effectively safeguards its employees against nepotism, political influence, or personal pull. The statute permits associations of Government employees for the purposes of professional utility and mutual aid, but not for purposes of combination against the Government. It provides for rigid disciplinary measures to be enforced by the chiefs of bureaus, the Minister, or, in cases of dismissal or imprisonment, by special administrative tribunals composed of the higher officials. Paris is of opinion that the Premier handled the situation with skill; that he forced the General Federation of Labor to proclaim a strike at a most unfavorable moment; that he has imposed upon it the discredit which attaches to a complete fiasco; and that he has broken the influence of Pataud and the other revolutionary leaders. Pataud has fallen a victim, after the manner of his kind, to enraged followers, who are now characterizing him as a "bluffer," and he is being held up to derision on the stage. It is to be hoped that the measures adopted by the French Government will completely cover all possible defects of the old system, and deprive its employees of any just cause for complaint in the future; for, sooner or later, the Government will probably be compelled to test its strength with the Federation of Labor, which is largely in the hands of radical Socialists and Anarchists, and it is very important that when that struggle comes the Government can go into it with clean hands and identify itself absolutely with the interests of the people of France against the effort of a class to secure control of the State.

THE VULGAR SUPPLEMENT AGAIN

One of the most interesting features of the recent meeting of the International Kindergarten Union in Buffalo was the vigorous discussion of the demoralizing influence of the so-called comic supplement, the evils of which The Outlook pointed out several months ago. The principal address was made by Mr. Percival Chubb, a teacher and writer of authority on educational subjects, in which he said that he would exclude any comic supplement from the house on the ground that these supplements are "calculated to produce a kind of inanity in the young." After examining a number of these sheets on a recent Sunday, Mr. Chubb said: "I found the same old glorification of the 'smart kid,' the 'smarty,' the 'up-to-snuff' type of children; the

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worst American type of the forward child. Furthermore, I found again the child who is obsessed by the idea of practical joking, who begins to 'rough-house' in the nursery and 'haze' in the kindergarten." "And I found no diminution of that distressing vulgarity which seems to be growing upon us in our great cities. Vulgarity—a flaunting commonness of mind—appears to be a product of the great city. It is quite a different thing from coarseness, a rustic crudeness. That is tolerable, sometimes picturesque. I attribute the inroads of this vulgarity to the decline of reverence, the lack of any awed converse with great things, an insensitiveness to what is fine, distinguished, holy. It is what I have to cope with in the young city people, in high school and college, in attempting to quicken their deeper admiration for great literature; commonness of mind, a cheap flippancy, a lack of refined humility; of reverence, in short. It is vulgarity at its worst that thrusts its impertinent tongue at us in the comic supplements, in crude violence of color, in grotesque distortions of the human countenance and figure (grotesque very different in spirit from those sportive gargoyles of mediæval architecture); in the caricatures of elders—aunts and uncles, grandmothers and grandfathers, aye, mothers and fathers, who are transformed to clowns in order that pert youngsters may have their little jokes. Yes, a joke will excuse almost anything nowadays. . . . The example of the Boston Herald shows that better counsels are beginning to prevail among us. They will prevail further, and quickly too, if we lift our united voices against these violences of a newspaper world which seeks to win favor by getting on the nerves of a highly nervous, not to say neurotic, public. We must lift them up in the interests of childhood. More and more the function of the school and the teacher becomes that of providing a protective environment in which for a few hours every day the child shall be surrounded with influences of health and quiet, of order and simple beauty. The school has to save the child from the unhealthy and unlovely world outside. That is a deplorably negative function. We cannot rest there. We must transform the environment. We must insist that there shall be nothing in it to affront the soul of the child, to corrupt its mind or soil its heart. We must begin with ourselves by working for a clean press, and, above all, a dignified Sunday press."

A BLOW AT SPECIAL PRIVILEGE

We are very glad to report that Governor Hughes has vetoed a bill passed by the New York Legislature, and designed to give the New Theater the right to maintain a bar for the sale of liquors, although the maintenance of such a bar would be a violation of the existing statute. Under the existing law no liquor-seller may carry on his business within two hundred feet of a church or school-house in the city of New York. The promoters of the New Theater, which we believe to be an admirable institution that will prove to be of real educational and artistic value to the community, selected a site for the theater building within two hundred feet of the School for Ethical Culture. They selected this site with full knowledge that they could not legally sell intoxicating liquors in the restaurant or café of the theater, but went on with their project in happy confidence that the obstacle to such sale could be removed by some special legislation. Aware, however, that a special bill framed for their own peculiar benefit could not be enacted into law, they framed an amendment to the statute proposing in general terms that the proprietors or managers of a private school could give their consent to the maintenance of a bar-room within two hundred feet of their school if they believed the pupils in their care would not be injured by such permission. While this amendment was framed in general terms, it was in effect a piece of special legislation arranged for the benefit of the New Theater alone. Governor Hughes has vetoed the bill on the ground that the present law prohibiting the sale of liquor within two hundred feet of a school was designed for the protection of the school children, and that school managers cannot take away from the children by private agreement the protection with which the law has seen fit to surround them. This argument is sound. But even if the pupils of the Ethical Culture School could not be

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injured by the proximity of the New Theater bar, the veto is nevertheless to be welcomed as another blow at special privilege legislation—one of the most serious evils in American politics. Laws should be framed for the benefit of the entire community and should be applicable to the entire community, and not in order to bestow privileges on particular individuals or special groups of individuals. When the directors of the New Theater desired a particular site, they took it, paying very little attention to the fact that there was a general law which interfered with their selection. They have now learned that they must ask their audiences to come to their plays without the inducement of a café where wines and liquors can be sold—not a very great hardship—or they must change their site and move to some spot where they can sell liquors legally. While the New Theater Bill was local legislation, the lesson which Governor Hughes's veto enforces, namely, that there are not and cannot be in the eyes of the law any privileged classes in the United States, is a valuable one for the whole country.

THREE LEADERS OF LIFE AND THOUGHT

The Christian Church has recently lost three eminent leaders. Bishop Galloway, of Mississippi, for twenty-three years an eloquent representative of the Methodist Episcopal Church South, was known throughout the Nation not only for his eloquence as a preacher but for his courageous advocacy of justice and human rights in the face of popular prejudice. Few men in the South have exerted a wider influence in support of fair and equal treatment of the Negro race and for the maintenance of law and order against all forms of mob violence. Dr. Sheldon Jackson was one of America's pioneers. He devoted himself for many years to missionary service in Alaska, varying his ministry in that territory by itinerant ministries in the United States in behalf of its too often forgotten people. The practical type of his mind is indicated by his successful endeavors to introduce the reindeer into Alaska for the benefit of the natives, a humanitarian reform which has been imitated by Dr. Grenfell in Labrador. Dr. Marcus Dods was a leader of a different type, known in Scotland as a preacher of great strength and directness, but in this country chiefly by his pen. Living in a critical age, and not always exempt from heresy-hunters keen on the scent for any independent thinking, he used the results of modern critical thought freely, never for the purpose of undermining spiritual faith, or even for attacking beliefs and traditions sacred to some of his contemporaries, but always for the purpose of making clearer and more rational the spiritual convictions which, however they may be phrased, underlie the faith alike of the past and the present. To a rare degree, moreover, he infused the modern critical thought with the vigor, moral stalwartness, and even severity characteristic of his ancestral Church.

A MEMORIAL OF UNCLE REMUS

The movement of a group of ladies of Atlanta, Georgia, who have formed an Auxiliary to the Uncle Remus Memorial Association, to secure funds for the purchase and preservation of "The Sign of the Wren's Nest," the home of Mr. Harris, ought to appeal to the support of the great company of readers who have found delight in Uncle Remus for years past. The interest in men of letters and artists shown by the growing desire to preserve the places associated with them is one of the hopeful signs of the times. Americans have been generous in commemorating in various monumental forms their statesmen and soldiers; they have not been so ready to set up memorials of their artists. And yet in this country, with its strong practical tendency and its preoccupation with material activities, everything ought to be done to bring the artist to the front and to keep the significance of his work and the value of it in mind. Mr. Harris will probably be counted in the small group of American writers who, during the last twenty-five years, have made original contributions to the literature of the country. Not only does his work possess permanent charm and value, but there was something eminently lovable in the modesty, humor, and kindliness of a writer whose thought appears to have been always on his work and never

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on the recognition it brought him. His last story, "The Bishop and the Boogerman" (Doubleday), is a charming example of a perfectly native product; a piece of art which grew out of the soil, so to speak. It is at the farthest remove in its simplicity, humor, its quaint, humble background, its unassuming naturalness, from the literature of sophistication, from the elaborate and highly wrought fiction which a great many people in this country regard as registering the high-water mark of artistic achievement. All Mr. Harris's readers were his lovers; and those who care for him will rejoice in this endeavor to preserve his home.

THE NEW SOUTH IN FICTION

The New South, which more and more defines itself in terms of industrial progress and prosperity, is fast finding interpretation in Southern fiction. The career of the man of the new age, who is often self-made, is being dramatized with increasing sympathy and discernment. Miss Johnston's "Lewis Rand," against a highly idealized background of the old social order, sketched the career of a self-made man of Jefferson's time, working out his own destiny by virtue of ability, courage, and a certain passion of will which in the end involved him in a terrible tragedy. In Miss Glasgow's latest story, "The Romance of a Plain Man" (Macmillan), the self-made Southern man of to-day is carefully drawn. By force of ability and indomitable will, the hero of this tale ascends from the position of a delivery boy for a grocer to that of an influential captain of industry. His chief adventure, and the great romance of his life, is his love for a Southern girl of the old order; a beautiful, high-minded, high-bred, and devoted woman, to whom wealth is a matter of indifference, but to whom love is everything. The story of the winning of this girl in the face of the opposition of her family brings out the chasm between the old and the new order; between the aristocrat, with generations of breeding behind him, and the self-made democrat who never quite rids himself of the consciousness of the social superiority of the people for whose narrowness and snobbishness he has genuine contempt. He adores his wife, but he makes the mistake so many American men make of supposing that he can express his adoration by lavishing every kind of comfort and luxury on his home. To do this he unconsciously isolates himself from a woman who cares nothing for her luxuries, but passionately yearns for a constant expression of affection. The story turns at the very edge of tragedy and becomes once more a romance. It is a significant contribution to the literary interpretation of the new order in the South.

THE AMERICAN FEDERATION OF ARTS

An American Federation of Arts has just been formed at Washington. Over seventy art societies sent thither their delegates. They were welcomed by Vice-President Sherman, and the objects of the proposed federation were explained by Senator Elihu Root. Briefly, the objects are to amalgamate the strength of all the societies in establishing art schools and exhibition galleries, to urge the appointment of a commission to supervise public architecture or the establishment of a Government Bureau of Architecture, to support the plan of the Burnham Park Commission for the artistic development of our National capital, to induce the extension of the system of National parks and forests, and to cultivate public taste. The officers of the new Federation are: President, Mr. Charles L. Hutchinson; Vice-Presidents, Mr. Herbert Adams, Mr. John W. Alexander, and Mr. Ralph Adams Cram—representing sculpture, painting, and architecture; Secretary, Mr. F. D. Millet; Assistant Secretary, Miss Leila Mechlin; Treasurer, J. P. Morgan, Jr. In addition to these officers a Board of Directors, composed of nineteen members, is to be appointed. The headquarters of the Federation will be at Washington, and the annual convention will be held in that city. Thus a new organization has come into existence, bringing into closer union those who are striving for the advancement of art. We believe that the cultivation of beauty by the individual and by the community must be greatly furthered by this centralization of effort, and that the new Federation will be of public service.

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A SOUTHERNER'S VIEW OF THE SOUTH

It seems rather queer to go abroad and discover an American author. Two books have appeared in England during the last year or two, named "The Scar" and "The Scourge." They have been a success, not only in England, but on the Continent; for translations have appeared or are appearing in German, French, and Russian. Yet they are by an American, Mr. Warrington Dawson, of South Carolina; and they deal with localities, questions, and types exclusively and typically American. It is not very creditable to us that this American, writing with unusual power of American scenes and problems, should have an exclusively European audience.

Mr. Dawson's stories are laid in the country districts and small towns of Virginia. In each volume a Northerner, in the first a woman, in the second a man, is thrown into intimate contact with the members of a proud caste of provincial aristocrats, who have been slowly sinking under the burden of grinding poverty, whose poverty-stricken lives are both hardening and narrowing, but in whose strongly individualized natures there dwell qualities and capacities of the highest kind. It is in his studies of these native Southern whites—both men and women, both those who are painfully struggling upwards and those whom an iron fate is slowly forcing downwards—and in his studies of the dark-skinned alien race standing so utterly aloof from them and so intimately connected with them, that Mr. Dawson excels; and it is not necessary to agree with all his conclusions in order to appreciate the value of his work. But almost equally good is the study of the Northerner who dwells South, who has made a real business success, who is in his own fashion devoted to the interests of the people with whom he has spent his life, but whom they at bottom never cease to regard as an interloper; and Mr. Dawson is entirely just in showing how ungenerous and unwarranted part of this attitude is, and, on the other hand, the measure of justification which it has in the hard narrowness that makes the intruder insist on trying to do good to the community in many ways which represent what is either unnecessary or even injurious.

I have no intention of writing a criticism of Mr. Dawson's two books; but it is worth while calling attention to the fact that this author, who writes with power and interest of vital home matters, has his critics and his audience abroad, but has neither critics nor audience at home. He should have both.

THEODORE ROOSEVELT.

Mombasa, British East Africa, April 22, 1909.

[These two novels, "The Scar" and "The Scourge," are published by Messrs. Methuen & Co., 36 Essex Street, W. C., London, England. Although Mr. Dawson is a South Carolinian, he has lived for many years abroad, much of the time in France, where he has been for the last eight years the Paris manager of the United Press Associations of this country. Mr. Dawson's absence in Europe explains why his stories, which Mr. Roosevelt has found so commendable, have not yet been published in his native country. Mr. Dawson is still a young man, having not yet reached his thirtieth year. If Mr. Roosevelt's judgment of his stories should be confirmed by American readers, Mr. Dawson has ample time before him yet to add his name to the growing list of successful American novelists.—THE EDITORS.]

THE GEORGIA RAILROAD STRIKE

At last the race problem has become involved in a labor dispute. The combination is full of menace. As the consequence of the strike of white firemen over the employment of negroes, no regular trains ran over the tracks of the Georgia Railroad for the most of last week, communities have been in danger of want, and thousands of people have been stirred to unreason by the passions inflamed in the controversy.

On many railways in the South it has been the custom to place negro firemen in the engine cabs beside white engineers. The situation in the railway industry is in this respect similar to that in other industries in the South. White man and black man work in amity and co-operation side by side. In the case of the men in the engine cab, however, there is one feature that is

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distinctive. Ordinarily the engineer who drives an engine over a route has, before becoming an engineer, traveled over that route again and again as a fireman. It is nearly essential that if he is to be responsible for the safety of his train, he must know every yard of the track; and he can know it only by repeatedly going over that track before he assumes responsibility. The employment of negroes as firemen, and only white men as engineers, makes it difficult, in many cases virtually impossible, for the engineer to get the experience he ought to get on the route over which he drives his engine. The more negro firemen a railway employs, the more difficult does it become for the engineers of that road to enter on their duties trained as they should be. On the other hand, the negro will work for less wages than the white man. Therefore the railway managers undertake to save money by employing negroes as firemen instead of white men. Some time in April an official of the Georgia Railroad, desirous of saving his company about five dollars a day, removed from regular employment and placed on an "extra list" ten white "assistant hostlers" (members of the firemen's union) and replaced them with negroes at lower wages. The General Manager of the road declined to rescind this order of his subordinate. The white firemen employed on the road (less than a hundred) saw in this action a menace to their standard of wages and standard of living. They therefore struck. When, however, the railway undertook to replace these striking white firemen with negroes, the people along the route of the railway made violent protest. They made it clear that public sentiment would not tolerate any attempt to lower wages by filling the places of white workmen with negroes. And this sentiment was reinforced by the public opinion which has long been forming concerning the risk to travelers involved in the practice of employing white engineers who have been kept from a proper training because of the employment of negro firemen. Thus a strike which started as a protest against reduction of wages became a bitter race issue, with public sentiment enlisted on behalf of the white strikers. As a consequence of the strike, scores of towns have been without mail or an adequate supply of provisions. Indeed, a large part of the State of Georgia has been undergoing the privations of siege. How much violence has accompanied the strike it is impossible to ascertain. Rumors of brutality are floated and then are denied. Fear of violence, however, has been indubitable.

This is the first time that an industrial contest has followed the lines of racial struggle to a serious degree. Heretofore the two problems in acute form have been kept distinct. In the North, where strife between organized labor and capital has been frequent, the comparative smallness of the negro population has kept it free from racial complications. In the South, on the other hand, where racial strife has been frequent, the comparatively unorganized condition of white labor and the comparatively unadvanced condition of negro labor have kept it free from finding expression in strikes or lockouts. Now, however, with the progress of organized labor in the South and the progress of the negro in industrial efficiency, there has arisen an occasion on which the labor problem and the race problem, each a spring of passion, have mingled.

The question in this strike is not as simple as one might think. It is not a mere question of white against black; of the members of a strong race attempting to rise by the degradation of a weaker race. It is a complication of racial and economic questions that requires careful study. Four points, however, are clear:

Violence, in the first place, in a contest of this kind is inexcusable and detestable. How it can be put down, appearing in many towns throughout a big State, we do not pretend to say. It is, however, the first duty of public executive officials, from Governor down, to exercise all the authority and influence they have to quell it.

In the second place, the suspension of the whole operation of distribution in the course of a quarrel of this kind is barbarous. We ought by this time to have reached a stage of civilization in which such questions were determined not by methods of war but by methods of reason and judicial procedure.

In the third place, the past practice of the railways in employing principally negro

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firemen and only white engineers is bad. It affords an excuse for depressing wages, and it increases the dangers of travel.

In the fourth place, the only possible solution is not the elimination of negro firemen, a possible solution is the employment of trustworthy negroes as engineers. If this strike means the attempt by any considerable portion of the Southern people to close the door of industrial advancement against the negro, it is full of danger to the South. It has been the pride and boast of the South that there negroes have the fairest possible chance to make the most of themselves by hard work. If the South forgets that boast, it will bring calamity upon itself.

CELEBRATING LIBERTY

One way by which we Americans show appreciation of our free institutions is in maiming and killing children. Another way is in distressing with din the sick and aged. Another way is in destroying valuable property. The roll of the dead and injured as a result each year of our methods of celebrating the Fourth of July is never called; it is, however, a long one. No accurate record of deaths and injuries caused by the noise-making and fire-producing celebration is kept; but such figures, based upon news items, as are available mount to thousands. Indeed, it is estimated that the casualties from our Fourth of July celebrations have surpassed those of the War of the Revolution. In other words, we have killed and wounded as many people to celebrate independence as to gain it. Is this worthy of a civilized people?

The official representatives of thirty-eight American cities have decided that it is not. These municipal officials, assembled at Pittsburgh at the Third Annual Playground Congress on May 14, discountenanced dangerous methods of celebration, and urged a substitution of safer, more sensible, and more appropriate methods. Mere criticism, however, does not have much weight. Children will continue to shoot off firecrackers and revolvers, build bonfires, and endanger property and life until the community gives them something better to do. It is certain that America will offer a needless human sacrifice in the name of patriotism until it learns a substitute. What should thinking people do?

The city officials gathered at Pittsburgh suggested what they might do by calling attention to what has been done in the city of Springfield, Massachusetts. For several years, under the direction of a committee, there have been organized and supervised in that city athletic games, and in particular processions or pageants. Representatives of each National group in the city have depicted some event in the history of its fatherland or some contribution which it has made to American civilization. Other communities (among them Detroit, Michigan) have likewise begun to turn Independence Day from a bedlam into a festival.

Independence Day has been heretofore regarded as simply the celebration of the separation of the American colonies from Great Britain. It ought to be, and always will be, that; for in that separation was the birth of a great nation. But it ought to be something more. The American people are a cosmopolitan people. Gathered from all the nations of the earth, they inherit all national traditions. The American of English ancestry has among his possessions as truly as any Englishman the tradition of Magna Carta. So the American of Italian ancestry has as truly as any Italian the tradition of Italian liberation. So with the Hungarian, the Frenchman, the Pole, the Russian, the German—each has a right to a pride in every struggle which his ancestors have made on behalf of liberty We need not search far to find a substitute for firecrackers and cannon, when we have all about us such riches. Independence Day ought to be a day devoted to the celebration of the victories of liberty, and even its brave but temporarily vain struggles, wherever they have occurred among the races who now people America. The Swede and Norwegian beside the Armenian and the Greek, the Swiss with his history of freedom among the mountains, the Jew with his history of ancient democracy and of later persecution endured with unbroken spirit; the Teuton, the Latin, the Slav, each with his own

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history, can bring to this Republic his own peculiar contribution to the ideal of liberty which is yet in the process of formation here.

It is not too late for many a community to begin even this year a new and sounder way of honoring the spirit of freedom on the Fourth of July.

A SUPREME COURT OF THE WORLD

The apprehension of possible war between England and Germany is widespread. There is no reason why there should be war, but many wars in the history of the world have been unreasonable. Commercial rivalry, mutual misunderstanding, race prejudice, groundless suspicion and jealousy, a too narrow and intense patriotism, and unreasonable fear in each nation of the purposes of the other, have all combined to make a tense and perilous situation. If the paper by James Bryce, the British Ambassador to the United States, printed in this week's Outlook could be translated into German and widely read in both England and Germany, and its sane counsels and catholic spirit could be accepted, the peril would be past; but this is too much to hope, or at least to expect, without some intermediary to interpret one nation to the other.

The Lake Mohonk Conference in its platform has suggested that the United States Government might become such an intermediary. If the nation whose good offices brought about peace between Russia and Japan could by its good offices promote good will between Germany and England, the gratification of the American people, irrespective of party, would be great; but it is not conceivable that the President of the United States should take official cognizance of the strained relations between these two empires and offer to act as peacemaker between them. Such an offer so conducted would be more likely to increase than to diminish the strain. If the United States is to act as an intermediary, it can do so only by a proposal which would involve its own cooperation with the two mutually suspicious Powers, and it is very doubtful whether a proposal by the United States looking toward disarmament or even a lessening of naval armaments would be acceptable to either Power. The answer by both Powers would probably be a repetition of what Mr. Asquith said last week in the English House of Commons: "Although the United States is the second among the naval Powers of the world, she cannot be treated as of the same efficiency for aggressive purposes toward England as France, Germany, or Austria, because her naval base is thousands of miles away from Europe, with no convenient coaling stations near the European coast." These facts make the United States not a naval peril to Europe. Any proposal, therefore, by the United States to restrict naval armaments would probably get scant consideration from European Powers.

There is, however, one topic upon which the United States might invite cooperative conferences with Germany and Great Britain.

In 1899 the Hague Tribunal adopted what is known as a Permanent Court of Arbitration. This was an international body of diplomats and jurists representing all the Powers who participated in the Hague Conference, from which body any two Powers might, if they so chose, select arbitrators to whom the question at issue between them should be submitted. This is not, properly speaking, a Permanent Court; it is a permanent list of men from which a Temporary Court may be selected. The object of this Temporary Court is not primarily to establish principles of international justice and settle legal questions before it upon those principles; it is to secure a body, semi-diplomatic in its character, to act, when called upon, as a Tribunal for the harmonization of difficulties which experience in the past shows is generally secured by a compromise between the parties. In 1907 the Hague Conference proposed, on leaving this Permanent Court of Arbitration untouched, to constitute also a Court of Arbitral Justice. Such a court would be composed wholly of men of recognized competence in questions of international law; they would hold office for a definite term; the contesting parties would have no voice in the choice from this body of the judges to sit upon the question at issue; the Tribunal, or such judges as the Tribunal itself

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might select, would be always ready to try any case submitted to it; and its decisions would be those, not of arbitrators representing the parties, but of judges absolutely independent of party interests. Secretary of State Root, in his instructions to the American Delegation in 1907, stated very clearly the distinction between these two bodies: "It has been a very general practice for arbitrators to act, not as judges deciding questions of fact and law upon the record before them under a sense of judicial responsibility, but as negotiators effecting settlements of the questions brought before them in accordance with the traditions and usages, and subject to all the considerations and influences, which affect diplomatic agents. . . . If there could be a Tribunal which would pass upon questions between nations with the same impartial and impersonal judgment that the Supreme Court of the United States gives to questions arising between citizens of the different States or between foreign citizens and the citizens of the United States, there can be no doubt that nations would be much more ready to submit their controversies to its decision than they are now to take the chances of arbitration."

The Hague Conference approved the organization of such a court and commended to the signatory Powers the adoption of a draft, upon which it agreed, for the organization of the court, leaving to be determined only the method by which the judges should be selected. Upon this question an irreconcilable difference of opinion was developed at the Conference. The smaller states insisted that they were entitled to equal representation upon the Court with the larger states. This not only would have made a tribunal of forty-six members, which would have been wholly unworkable as a court, but it also would have submitted grave questions concerning the rights of the greater Powers to a majority vote in which such states as Servia and Montenegro in Europe, and Hayti, Venezuela, and Colombia on this side of the water, would have had equal authority with Germany, France, England, and the United States.

The final establishment of a Court of Arbitral Justice awaits the adjustment of this question as to how the Court shall be constituted. This is a question in which good sense is on the side of the great Powers, and pride and sentiment on the side of the lesser ones.

Curiously, however, while no agreement could be reached on this question as to the institution of a Court of Arbitral Justice, agreement was reached as to the constitution of an international court for the settlement of questions of maritime law where the same issue between the supposed rights of the great Powers and the lesser Powers was involved. This International Prize Court was constituted to sit at The Hague, to be composed of fifteen judges, eight to be selected from the eight great Powers—Germany, Austria-Hungary, France, Great Britain, Italy, Russia, Japan, and the United States; the other seven judges to be selected at the same time, but to be called upon to serve for a lesser period, so that the greater Powers would always have a majority in the Court, but the lesser Powers in turn would be represented upon it. This Court now has its recognized place in the judicial system of the world. The Outlook ventures to suggest that the United States might open negotiations with Germany and Great Britain, and if they were successful extend them to the other great Powers that have united in the Prize Court, for the purpose of either transforming that body into an Arbitral Court of Justice or of constituting an Arbitral Court of Justice upon the principles upon which the Prize Court is constituted. If the greater Powers were once to institute such a court, they could wait, without much trial of their patience, for the lesser Powers to come in and take advantage of it whenever they were inclined to do so.

It may be thought that a proposal by the United States to Germany and Great Britain to enter into conference for the purpose of carrying into execution the general recommendation of the Hague Conference for an Arbitral Court of Justice would have no direct effect to lessen the naval rivalry between those two Powers; but experience indicates that it is difficult, if not impossible, to carry on pacific negotiations and preparations for war at the same time between the same

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parties. If Germany and Great Britain, in conference with the United States, were to confer together to secure the peace of the world by the establishment of a Court, further negotiations to promote that peace by some amicable arrangement respecting naval armaments would not be impracticable; and the mere fact that pacific negotiations had been opened between two nations which before were eying each other only with suspicion and hostility would tend to lessen the suspicion and allay the hostility. It is difficult for two nations at the same time to shake hands and to shake their fists in each other's faces.

THE SPECTATOR

The Spectator came from Seville on New Year's Day to live for a while within the walls of the Alhambra, and especially to see that rarely witnessed yet famous mediæval pageant held annually at the gates of Granada, which still commemorates the surrender of Boabdil and the last sad hours of the Moorish power in Spain. He arrived in another day of sunshine, like all these days of Spain, and in a pink and golden sunset climbed the hill to the Alhambra, finding—like Washington Irving before him—an abiding-place within its very walls. Four hundred and fifty feet below lay Granada, a white city in the wide green plain of the Vega, and on either side stretched fortresses half a mile in circuit and surmounted by twenty-seven great towers, walls and towers alike stained a glowing pink, streaked with rusty red and gold. Inside were gardens, and in one tiny corner, almost under his tower window, lay the real Alhambra, the palace, and those exquisite courts which are the wonder of the world.

The palace itself is quite tiny, seen after making the circuit of the tremendous walls and towers—the latter gleaming high above through the intertwined boughs of the elms—but it seems much larger owing to the exquisite proportion of the buildings and the minute details of the decoration. The Spectator wandered from court to court as in a dream—the Patio of the Lions, the court of the ill-starred Abencerrages, the Hall of the Ambassadors! There were pools of purest water, flanked with dark hedges of laurel often six feet wide, the unruffled surfaces of which rose exactly level with the marble flooring, tempting one to walk out upon them as on a thick green carpet. On either side were covered courts where alabaster pillars supported Moorish arches—delicate, graceful, tinted in palest tones of gold and pink and azure in intricate design, and the whole so fretted and carved and blended into an infinity of exquisite detail that you could cry out with the beauty of it. Some of the ceilings were like deep, blue-black nights lit with stars of mother-of-pearl, over daintiest, two-arched, fretted Moorish windows, that look over the plain toward the snow peaks or into sunken gardens of cypress trees, where fountains keep the air ever moving and deliciously fresh. What is the possibility of detail? The eye cannot comprehend the infinity, nor the memory hold the intricacy of the designs; the floors of marbles or tiles, and every inch of the walls carved and molded and tinted up to the very ceilings, which, hanging like fringes of the Arabs' tents, bear in each hollow a heart of glowing color. Everywhere were fountains—in the courts, in the alcoves, in the gardens—running through marble channels into still pools or rushing downward through subterranean conduits. Could one ever become tired of living in a paradise such as this!

The central and most beautiful court is that of the Lions, open in the center, and surrounded by double rows of white marble columns tinted by time into gold, always gold, and cream and lavender. It is not architecture—the Moors ignored the fundamental precepts—but imagination, caught instantaneously and fixed, forever half trembling as if in that fleeting moment between conception and dissolution. Even as one looks the pillars seem to sway and you see suddenly that the solid walls above the arches are *hollow*, pierced and fretted inside and out. It is not architecture—it is pure enchantment! From this intangible vision radiate four courts, the same in design yet exquisitely different—the court of the Abencerrages, of Lindaraxa, of the Two Sisters, of the

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Mocarabes—their walls glowing with azure and opal, the ceilings turned into fantastic grottoes of lapis lazuli and cedarwood, starred with mother-of-pearl. Often one can look through four successive arches, each one a trifle smaller as they recede, until finally, divided into a double horse-shoe, they overlook a sunken garden, from the font of which rises ceaselessly a silvery, silken veil of spray. All these to tempt wandering steps, and balconies from which one looks sheer down to the rushing Darro or far out over the city and the plain. In a room in one of these balconies lived Washington Irving, and within it grew the "Alhambra" and the "Conquest of Granada," until the place is alive with memories of Boabdil and Muley Aben Hassan, of Ferdinand and Isabella, and Gonzalez of Cordova. It must have been a desperate fight that drove the Moors from the beautiful land—a fight that contested every inch of land, every wall, every city, every house and hill!

So the Spectator truly lived in the days of old, and especially on the afternoon after his arrival, which was the anniversary of the surrender of Granada to the Christian forces of Ferdinand and Isabella. All day long the bell in the Torre de la Vela kept ringing in celebration, the ringers being alternate groups of girls and boys—for much potency for speedy marriage lay in the vehement ringing of the bell between sunrise and sunset. It was delightful to watch the holiday crowds—objectionable as they usually are in Spain—but then in gala dress wandering around the tall Tower of Justice or along the promenade and Plaza of the Cisterns. In the morning was High Mass, with glorious organ music, and following it the annual procession from the Cathedral to the Alhambra Gates. It was mediæval indeed. All were in costume of the days of Ferdinand and Isabella. Heralds came first, mounted, wearing scarlet coats and blowing trumpets. Then followed men-at-arms carrying a sort of halberd, and two pages—actually in tights, half pink and half lavender—bearing the arms of Granada. Then more heralds, this time in green, with Venetian caps of velvet and the hair worn long, as in the portraits by Hans Holbein, and finally Ferdinand and Isabella themselves, covered with satin banners. Last of all came a band and a regiment of soldiers, with a squad of cavalry to bring up the rear. In and throughout all that secular procession were countless priests, singly or in groups, dressed in their magnificent robes and followed by acolytes and incense boys, while quite a troop of the latter bore tall frames on which were stretched the white and gold banners of the religious societies. The alcalde, too, was prominent in the procession, with the entire corporation of the city grouped about him, clothed all of them in gorgeous uniforms and carrying silver wands. As a spectacle it was truly mediæval, even to the burro trains and droves of turkeys which frequently crossed and delayed the procession, and not a little impressive seen in that Old World city.

Before the Portal of Justice, inscribed with mystical hand and key, the potency of which for so long had baffled the might of the Christian armies, the procession came up with Boabdil and his Moors—a rather shamefaced lot, who did not know their parts and who kept one eye on the crowd for possible missiles, but gorgeous in fanciful, barbaric trappings; and after much ceremony the sword was transferred—the original sword of the unlucky Prince, preserved yet in the museum of the Generalife—and a key, and off rode the Moors amid the enthusiastic shouts of the crowd and the deep intoning of the *Te Deum*. For a time the Spectator followed them, along that weary road that once Boabdil trod, turning his back upon the earthly paradise of the Alhambra toward exile in Africa, and then up, up to his seat, a thousand feet above the town, where the kingdom of Granada lay before him. The clear Andalusian light died slowly out across the Vega, lingering reluctantly around the rosy walls and towers of the palace, turning the dust-colored mountains to purple and opal, and glowing, a pink and golden glory, on the uttermost peaks of the Sierra Nevada. It was a land well worth fighting for. It was a land well worth coming so far to see.

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ALLEGIANCE TO HUMANITY

BY THE RIGHT HON. JAMES BRYCE

BRITISH AMBASSADOR TO THE UNITED STATES

This is the text prepared by Mr. Bryce for delivery as an address before the Fifteenth Annual Lake Mohonk Conference on International Arbitration, May 21, 1909, and is published in The Outlook with Mr. Bryce's special authorization. In the actual delivery of the address its author amplified the text in some particulars. It may be explained also that Mr. Bryce arrived at the Conference only just before the delivery of his address, and had neither heard the previous speeches nor seen any report of them, so that necessarily there was no reference to other utterances at the Conference in Mr. Bryce's address. We comment editorially on another page on this subject.—THE EDITORS.

ABOUT the blessings of peace, about the horrors of war, about the value of arbitration as a means of preventing war, surely everything that can be said has been said. You who meet here to promote arbitration and peace have no enemy in the field. Hawks there may be, but they do not attend this congress of doves. Those who speak to you find themselves in the position of preaching to the converted. It is an easy process, but it is not stimulating to us and not profitable to the unconverted who keep out of range. Our discussions at all peace gatherings are really discussions in the abstract, and we shall not know that we are making real progress until we translate good abstract resolutions into concrete practice. No doubt much progress has been made. The work of the Hague Conference has been extremely valuable. The creation of the Hague Court and the reference to it of such controversies as that which the United States had with Mexico and that relating to the Newfoundland Fisheries mark a very great advance. Nevertheless, it is felt that risks of war have not disappeared; and the proof of this is shown in the fact that all the great countries continue to go on increasing their military and naval armaments. There is no certainty that, if some dispute suddenly arose inflaming the passions of two nations, they would refer it to arbitration. Some disputes are, indeed, expressly excluded by the recent Arbitration Treaties from their scope. We may regret this, but such is the fact, and it shows that governments have not that full confidence in the application of the principle which many of you may desire. Even where the case is one that does fall within the treaty, we cannot be sure that two nations, each perhaps irritated and excited, may not prefer to resort to arms rather than use the machinery for securing peace which they have themselves, in their more tranquil moments, provided. All the nations, both of this hemisphere and of the other, have every possible reason for endeavoring to keep the peace. Interest as well as conscience and duty prescribe that course. It is also a most encouraging sign that troubles in eastern Europe which would probably thirty years ago have caused a European war have been within the last few months peaceably adjusted. In particular, we have all reason to rejoice that a régime of tyranny in the Turkish Empire has been brought to an end, that the principles of liberty have been proclaimed in that country, and that we may expect the shocking massacres that have recently been perpetrated in Asia Minor—probably a last effort of expiring tyranny—to be severely punished, and that the Christians and Mussulmans are beginning to recognize that they have a common interest in good government and must work together in harmonious co-operation and friendship. These things may well be welcomed as a great step onward and a good augury for the future. Nevertheless, when we remember how often before governments and nations that had every interest to keep the peace allowed themselves to be drawn into war, and how disproportionate its causes were to the real interests involved, we cannot be sure that the same thing may not occur again, and we must ask once more, Why is it that good resolutions are so often forgotten? Why is the practice

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of nations so much worse than their theory? One of the answers most given is that ill feeling between nations leading up to war is due to the newspapers, which, when a dispute arises between two peoples, are accused of misrepresenting the purposes and the sentiments of the other people, and so leading each people to believe itself wholly in the right and the other wholly in the wrong. It is not my business to defend the newspapers. They are well able to take care of themselves. But, in the interests of truth and justice, it must be asked whether it is really they that are to blame. If foreign countries are attacked, it is because they think the public like it and expect it. In every country the newspapers reflect the wishes of the people and are what the people make them.

Thus we come back to the people—that is, to ourselves, the ordinary citizens who are the ultimate masters both of the Government and of the press. Why do we like to have other nations placed in the worst light and their defects exaggerated? Why is it thought patriotic to defy other nations and unpatriotic to indicate any faults in ourselves, any weak points in our own case?

At this moment all the Governments in all the great military and naval states are (I venture to believe) honestly desirous of peace. Not one of them has any cause for war. Not one of them but would lose by war far more than it could gain. Yet it is apparently possible for those who desire, from whatever motives, to stir up suspicion and enmity to succeed in convincing each nation that the other has designs upon it.

Every nation is conscious of its own rectitude of purpose, and believes that its armaments are for its own safety and will not be used unjustly or aggressively. But each one is told that it must not credit with similar good intentions the other nation which is for the moment the object of its jealousy. The ordinary man is apparently more prone to believe evil than good; and hardly anybody takes up the cause of the other nation. That would be called unpatriotic.

Is not the fault, then, in ourselves, that we are too ignorant about other nations, too neglectful in not trying to understand them and to put ourselves in their place? Is not this one chief cause of the atmosphere of suspicion which characterizes the relations of the Great Powers, and leads them to go on creating the enormous armaments and levying the enormous taxes under which their people stagger? Would not a better knowledge by each nation of the other nations do something to dispel these suspicions? Every nation must of course be prepared to repel all dangers at all likely to threaten it. But it should also try to ascertain whether the dangers it is told to provide against are real or illusory, and it should try to enter into the position of other nations and ask whether it may not be exciting in their minds a mistaken impression of its purposes. Suspicion breeds suspicion; and nations have sometimes come to fear and dislike one and another only because each was incessantly told that it was disliked by the other.

Thirty or forty years ago there was a good deal of this suspicion between Britain and the United States. Better knowledge by each nation of the other has extinguished that feeling and substituted for it a genuine friendship, which will, we may feel sure, at once recur to arbitration for the settlement of any question that may arise. Why should this not be done as regards the other Powers also? Why, when a controversy arises with any other country, should we not, before sharpening our tempers and our swords, try to believe that there are two sides to the controversy, and keep cool till we have considered the other side and made the other people feel that we mean to be reasonable?

Our country is not the only thing to which we owe our allegiance. It is owed also to justice and to humanity. Patriotism consists not in waving a flag but in striving that our country shall be righteous as well as strong. A state is not the less strong for being resolved to use its strength in a temperate and pacific spirit.

It was well said recently by Mr. Root that there ought to be, and there was gradually coming to be, a public opinion of nations which favored arbitration and would condemn any Government which plunged into war when amicable means of settlement were available. May we not go even further, and desire and work for the creation of a public opinion of the

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world which has regard to the general interests of the world, raising its view above the special interests of each people? Are we not carrying our national feeling to excess when we think only of the welfare, only of the glory, of our own nation? Is it not the mark of a truly philosophic as well as of a truly religious mind to extend its sympathy and its hopes to all mankind? Would not the diffusion of such a feeling and an appreciation of the truth that every nation gains by the prosperity and happiness of other peoples be a force working for peace and good will among the nations even more powerfully than all our arbitration treaties?

THE HAZARDS OF INDUSTRY

SHOULD THE WORKMAN BEAR THE WHOLE BURDEN?

BY LAUNCELOT PACKER

TONY PALERMO'S only property, and his sole protection against starvation, consisted in the ability to sell the labor of his hands. The Salt Company needed this labor for the production of salt and of profit. It hired him, therefore, as a laborer at about one dollar and twenty-five cents a day.

After working for some time, Tony was given an oil-can and instructed how to oil machinery. One oil-cup that had to be oiled was close to revolving shafting driven by steam power, and suspended above steaming brine vats. To reach this Tony had to pass along a beam above the vats which filled the room with a thick mist of steam. One moment he stood on the beam, oil-can in hand, a strong man with capacity to earn. The next moment he was drawn in between the shafts and hurled to the ground fifteen feet below—a human wreck—his earning capacity entirely gone.

There was no clear evidence as to how the accident happened; Tony himself did not know. No proof of negligence was possible; conjecture might suggest that he had slipped on the moistened beam; or perhaps had misjudged the distance and poked his oil-can against some cogs; or perhaps, tired from his work and a little clumsy in reaching out, had overbalanced himself. Who knows? His last day's work was done.

The law left him where he lay. No legal duty compelled either assistance or surgical attention to be rendered him.

Fellow-laborers, in charity, carried him to the office, and there the law left any physical help to the charity of the employer, though it at the same time made Tony's only means of redress a suit against that employer to prove him negligent. A doctor was, however, charitably sought for, and Tony was finally taken to a small hospital, also run largely by charity. The doctors' surgical judgment may not have been of the highest, but they no doubt rendered the best surgical aid they were able to afford; they amputated both of Tony's arms. The hospital kept him for some weeks, though he had nothing to pay for his treatment.

This incident of production was no doubt recorded in the company's files as: Tony Palermo—age, twenty-five; laborer and oiler; wages, $1.25 a day; accident, caught by shafting; injury, loss of both arms.

As the law had not helped him physically, would it financially? The law left the financial burden where it fell.

The old-time personal employer under modern business methods has been dissolved into innumerable shareholders, whose dividends can carry to them no feeling of moral responsibility, where there is no legal responsibility, for the accidents to men through whom the dividends are

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largely earned. To the kind-hearted manager, therefore, of the Salt Company, Tony could present only a business question: Would it pay to re-employ him? Did the law make the company legally liable to give him anything? As a producer Tony Palermo's value was now nil. There was no business justification for his re-employment, in spite of the fact that no one else would now employ him, and in spite of the fact that his only potential property had been torn from him in that business.

Lawyers passed upon his case, and advised that there was no legal liability upon the employer—there was no negligence. Had Tony, therefore, only a proper enforcement of law to fall back upon, he would have been left a penniless, helpless hulk, without arms either to feed himself or to earn his food. One element, however, prevented Tony from being left immediately destitute, and that was the jury. Though the law was clear, the company's lawyers had intimated that if he sued his employer, and any question could be raised in the suit that would get his case into the hands of a jury, they could not be relied on to enforce the law to the disadvantage of so pitiful a sufferer, but would, disregarding the law, award him damages. And what wage-earner could blame them? The jury constituting a remote danger, the risk of their action was avoided by making a small settlement.

Perhaps now in the old country Tony stands and holds out his poor forlorn stumps of arms, in mute appeal for help, to the stranger—who passes him by.

The day's wage of $1.25 was all that the law gave Palermo for this terrible risk. Such a risk is out of all proportion to the profit gained by the employee. Should not companies whose organization for the sake of profit is encouraged by law, be made, by law, also responsible for the loss?

Mary Motzart was a machine operator in the Metal Stamping Company. She was seventeen years old, and the eldest of a family of six, of which she was the main support. Her father was confined to his bed most of the time with consumption, but at intervals able to earn a little in a rolling-mill. Her duty was to feed small pieces of metal into a machine which operated automatically. Occasionally the metal stuck in the machine. It was then her duty to extract the spoiled piece and throw it into a waste-box on the far side of the leg of her machine. In throwing one of these spoiled pieces into the waste-box, her hand came in contact with the revolving cogs. The use of that hand was destroyed.

Again the law left the burden where it fell. It was a clear case of no legal liability. Just a mistaken movement, such as all human beings make, but what a penalty for a moment's lack of concentration!

Again the view of the employer's lawyer was that, while there was no legal liability upon the employer, there would possibly be expensive litigation if a point could be raised to carry the decision to the jury, because it would not render a verdict according to the facts. The jurors would realize that though she was a bright, good-looking girl, her chance for marriage, as that would need ability to do housework, was probably gone. So that jury risk was capitalized in a settlement which was accepted, after consultation with the only adviser her mother could trust—her Catholic priest.

Our Employers' Liability Law compensates only for those industrial accidents in which negligence exists—and in which proof of the technical character required in a lawsuit can be brought by the employee to connect that negligence with the employer. In accidents not caused by negligence attributable to the employer, the law leaves the burden where it falls, even in dangerous industries that must produce frequent accidents. The instances given were accidents that actually occurred, and there are thousands like them throughout the country each year. They illustrate the working of our law. Is it right? No one who has seen the dumb suffering in the faces of those who are injured, or of their families who bear the burden, could think it right.

Is it wise? A strong man who knew his country's needs and led it fearlessly, in a recent speech said: "As a matter of fact, there is no sound economic reason for distinction between accidents caused by negligence and those which are unavoidable, and the law should be such that the payment of those accidents will become

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automatic instead of being a matter for a lawsuit. Workmen should receive a certain definite and limited compensation for all accidents in industry, irrespective of negligence

"It is neither just, expedient, nor humane, it is revolting to judgment and sentiment alike, that the financial burden of accidents occurring because of the necessary exigencies of their daily occupation should be thrust upon the sufferers who are least able to bear it."

No one who believes in government by law can see without grave misgiving the disrepute and contempt into which personal injury law is falling through numerous jury verdicts in flagrant disregard of it, though perhaps those verdicts are only unjust attempts to effect a rough justice. No one who believes in the protection of life and property by law can justify the danger to both which the present law permits. It allows the destruction, without compensation, of the only real property of the laborer—his capacity to earn. By establishing an antagonism of interest between the employer and the employee, it encourages secrecy with regard to accidents and their causes, instead of publicity and co-operation for the prevention of similar accidents.[1]

Why does this condition exist in the United States alone of all the great industrial nations of the world? Because our law on this subject has not kept pace with our industrial development. As far back as 1841, in the case of Murray against the South Carolina Railroad, it was decided that redress should be made to depend upon the existence of negligence on the part of the employer, and the ability to trace and prove that negligence by the person injured, or by his family if he was killed—although even then some of the judges dissented from that decision. The law governing these accidents has been little changed since it was enunciated then. But meanwhile the invention of steam power and the introduction of the factory system have made a complete revolution in the industrial world and the conditions to which the law is applied.

It can hardly be denied, even by the most conservative, that law which was suited to conditions when hand working was the rule and the hand loom was used, when the stage-coach was running and railways were only just being started, when employer and employee lived side by side and helped each other without regard to law, is entirely inadequate to produce justice under modern conditions in our great industries. Those industries involve the use of the dangerous forces of steam, gas, and electricity, of complicated machinery, of dangerous substances hitherto unknown. One man is now dependent upon the act of any one of hundreds of other men, skilled or unskilled.

It was of those simple conditions only that the judges had experience who adopted the law of negligence as the basis of adjustment for industrial accidents. They could have no knowledge of the complex conditions to which the law was subsequently to be applied, and so should not be blamed—though Prussia discarded proof of negligence when railways were started there, in 1836.

The truth must be told. The Law of Employers' Liability for Accident, operative in the United States to-day, is obsolete, ineffective, and unjust, and in continuing its use we are continuing a worn-out piece of machinery of a character that has been discarded in practically every civilized industrial country in the world. Our continued use of it causes the same economic waste as occurs in every enterprise where obsolete machinery is used, because no adequate system of prevention of accidents is fostered under it, and so destruction of producers and their potential product results, as well as untold suffering and hardship.

It is time to send our negligence law to the scrap-heap, and to adopt a wise law that shall pay more regard to the result of accidents, under which provision for the speedy care of those injured shall be required, and under which some effective system of preventing accidents can be developed. This law should not be hastily drawn, but the experience of the effect of similar laws in other countries should be utilized, and the best features of each should be selected.

[1] Under a co-operative scheme provided for by the English Workmen's Compensation Act, the South Metropolitan Gas Company decreased its accidents from 69 accidents per 1,000 men in 1898 to 40 accidents per 1,000 men in 1905, by a steady reduction each year (except in 1903, when there was an increase of two over the previous year).

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There should be such a change as will distribute the shock of accident from the individual to the many. Earnest men should seek to modify the existing system with wisdom, realizing that not only is it economically wasteful, but that it is fundamentally unjust. The relegation of those injured by accident, with their families, to charity, is a crude and rudimentary method of dealing with one of the necessary results of modern industry.

Germany was the first industrial country to recognize the change in industrial conditions, and to enact what is generally called a Workmen's Accident Compensation Law. Even on the formation of the German Empire in 1871 it adopted the Prussian law of 1836, making railways responsible for practically all accidents to employees (unless they could prove that the accident was due to the injured employee's fault).

For other industries Germany first tried the experiment of expanding the responsibility of the employer, by making him responsible for accidents caused by the negligence of certain of his employees, as well as for his own. Although a few more injured people did by this change get redress, actual experience proved the experiment a failure as a complete remedy. The law resulted only in delays, and in bitterness between employers and employees. It greatly increased the number of lawsuits, in which the injured employee attempted to prove the employer's negligence, while the bulk of accidents were still left uncompensated because no negligence could be proved in them. Vast sums were spent both in the attempts to prove negligence and in defending the suits, which, had they been spent directly for the benefit of the injured, would have relieved much suffering.

A hard fight followed between the theorists and those who demanded that the plain, practical facts should be dealt with, and who urged that "doctrine must wait upon facts and be determined by them." The fight was finally won by the latter, it being admitted that statistical material was a safer basis for law than reasoning by deduction from rigid premise.

The grand old German Emperor William the First then sent his famous message of November, 1881, to the Reichstag: "We should review with increased satisfaction the manifest successes with which the Lord has blessed our reign, could we carry to the grave the conviction of having given our country an additional and lasting assurance of internal peace. In order to realize these views, a bill for the insurance of workmen against accidents, while working for their employer, will be laid before you." And so was passed the German Accident Insurance Law of 1884, compensating every industrial accident without requiring proof of negligence on the part of the employer.

Surrounding that law there is now an immense accumulation of fact and argument. Under it careful rules for the prevention of accident are prescribed, and enforced by fines on employees and by higher rates of insurance on employers. The German law should be studied by those who attempt to deal with the subject in this country, although perhaps it will be found that the solution of the problem for us lies nearer to the solution accomplished in that country from which we take our Common Law—England.

England now recognizes by its Workmen's Compensation Act that accidents are a necessary product of a trade, and makes them practically a charge upon the trade through the medium of insurance companies. At first, like Germany, it treated them from a personal view-point. No redress was given for an accident unless the injured employee could trace it to the personal negligence of the employer.

When Mr. Gladstone, however, came into power, he said, "The present law is unsatisfactory, and further protection to workmen is necessary," and the Employers' Liability Act of 1880 was passed, making the employer responsible for negligence of certain of his employees, as well as for his own. This law was England's attempt to compensate more industrial accidents by expanding the responsibility of the employer for cases in which negligence existed, just as Germany had attempted it. It proved ineffective, just as the German experiment had done, and left the bulk of the accidents uncompensated for.

In 1893 Mr. Asquith, now the Liberal Prime Minister of England, introduced a bill which was actually passed in the

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House of Commons, but failed to pass in the House of Lords, that carried the redress for negligence to the extreme limit. It made the employer responsible for the negligent act of *every* employee, if it caused accident to another employee.

At this time, however, the views of leaders of thought throughout Europe were beginning to be crystallized into law. They held that requiring negligence on the part of some one, and proof of it by the injured employee, before granting redress, was both impracticable and unjust. Mr. Joseph Chamberlain was then in the Opposition, and introduced an amendment to the Asquith bill, declaring that "no change of the law will be final or satisfactory that does not provide compensation for all injuries in the ordinary course of employment not caused by the injured's own act or default." When the Conservative party came into power, Mr. Chamberlain's view was adopted, and was embodied in the Workmen's Compensation Act of 1897. This act abolished the requirement of proof of negligence, in certain dangerous trades, and established the principle "that a workman is entitled for all accidents of occupation to a moderate and reasonable compensation."

A responsible committee, appointed by the Government to inquire into the practical workings of that Act, after exhaustive inquiry, reported in 1904. They found that the Act gave substantial relief, and had conferred substantial benefit. They said that prior to the Act the whole burden of industrial accident had fallen on the workmen, and it was "right and necessary that some systematic relief by law should be provided." Following that report, in 1906, was passed the present Workmen's Compensation Act, by which the same principle was extended practically to every employment.

Nearly every other industrial country except our own [1] has passed a law that compensates sufferers for all accidents of industry.

[1] Compensation laws have been passed in the following countries:

Austria	South Australia	Greece
Belgium	West Australia	Italy
Denmark	British Columbia	Netherlands
Finland	Queensland	Norway
France	Cape of Good Hope	Russia
Germany	The Transvaal	Spain
Great Britain	Luxemburg	Sweden
New Zealand		Hungary

What have we been doing meanwhile? I have recently made an examination of a year's legislation, and attempted legislation, through every State in the Union. I find we are doing what Germany and England both tried and found to be a total failure as a final solution of the problem. We are expanding by statutes the operation of our law of negligence and the opportunity for successful suit by employees under that law. The change is perhaps better than nothing, because it removes or modifies certain unjust legal defenses available against employees alone (known as the Fellow Servant doctrine and Assumption of Risk doctrine), and also modifies the harsh doctrine of Contributory Negligence. This legislation increases the number of cases compensated for, but will still leave that large proportion of accidents, in which no negligence exists, uncompensated for if juries enforce the law (the statutes require the question of negligence to be left to the jury), but will have the effect of increasing the number of lawsuits.

In 1906 Congress passed a statute known as the Federal Employers' Liability Act. That was, however, subsequently held unconstitutional by the Supreme Court, Congress having failed clearly to limit the wording of the statute to such cases as fell under the Federal jurisdiction. In April, 1908, therefore, Congress passed an amended Employers' Liability Act, limited to cases under its jurisdiction affecting common carriers by inter-State railway only. This Act, now in force, makes the following changes in the negligence law: It makes railways liable to employees for the negligence of officers, agents, or employees, and for defects in cars, machinery, etc., due to its negligence; it provides that contributory negligence on the part of the injured shall be no bar to recovery if the injured's negligence is slight and that of the employer gross; it obliterates entirely the employer's defense of contributory negligence on the part of an employee, if the employer had violated a safety statute; it requires questions of negligence to be left to the jury for decision; and provides that no such employer shall exempt itself from liability under the Act by any special contract with an employee. It permits the employer, however,

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to set off his contribution to any insurance scheme in reduction of any damages awarded against him, and limits the time in which suit can be brought to two years.

The same Congress also passed a penal statute in relation to locomotive ash-pans to promote the safety of employees on railways. The two statutes represent, however, only development along the lines of negligence law.

Another statute was also passed, however, which Congressman Bartlett, of Nevada, in getting together the legislation on this subject, rightly characterizes as blazing a new trail in such legislation. This was a law in favor of Government employees only (who had prior to it not even a right of suit for negligence against the Government). It embodied two principles:

First. The absolute responsibility of the Government to pay the compensation specified in it, without any question of negligence on its part; and

Second. The avoidance of necessity for suit by the employee to obtain such compensation.

This legislation pays greater regard to the fact that accidents in industry are a product of the trade itself, and are traceable to the trade more properly than to the negligence, if any, which may be involved in any particular accident. And it is this principle on which final legislation of other industrial countries has been based.

In a few of the States, Workmen's Compensation Acts have been recommended, but hitherto political exigencies have prevented the recommendations from becoming law. In Massachusetts, in 1905, after exhaustive inquiry by a strong commission, a Workmen's Compensation Law, closely following the English Workmen's Compensation Act of 1897, was recommended to correct in the interest of the community the evils found to exist; and in 1906 and 1907 such a bill was again introduced, but it each time failed of passage. In 1908, therefore, an Act was passed permitting, under contract between an employer and his employees, benefits somewhat similar to those in the English Compensation Act, to be "voluntarily" substituted for negligence suits—but this has been very little used. In Illinois a resolution was passed in 1905 pointing out "that the margin between work and want is exceedingly narrow, and that no apprehension is more keen or pitiless than the constant clinging dread of incapacity through accident," and providing for the appointment of a Commission to draft an Industrial Insurance bill. A voluntary insurance bill was therefore drafted. In Pennsylvania, Workmen's Compensation bills on the lines of the first English Act were introduced; and in Wisconsin a somewhat similar bill was also introduced. Committees have also been appointed to consider the subject in Connecticut, New Jersey, and Wisconsin. In the last Congress, too, several Workmen's Compensation bills were introduced, and even in the present Congress, though hitherto without effect.

Why should America lag behind? This great Nation, with progress and justice to all for our watchwords, can no longer allow the fearful loss of industrial accidents to rest on the employee alone, whose only profit from the industry is a day's wage for his labor.

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"NOCH IST POLEN NICHT VERLOREN"

BY EDWARD A. STEINER

I HAVE always found it wise to ask for letters of introduction, especially when traveling to the East of Europe; often, too, I have found it still wiser to forget that I had them; for a letter of introduction sometimes blocks avenues of investigation, particularly when the problem in question involves the privileged or official classes.

The last time I went abroad, however, I carried one letter which I was eager to deliver; it was given me by a personal friend in America, and I was to present it to his mother-in-law in Poland. Not that I was over-anxious to meet his mother-in-law; but because Polish women of the upper class are, as a rule, so superior to the men, are so ready to talk, and talk so well, I promised myself a rather fruitful call; and although I did not meet the mother-in-law, I was not disappointed.

Cracow looks dingy even to one who, like myself, is able to illuminate its somber present in the light of its important if not glorious past. Coming, as I had come, out of industrial German Poland, with its spick-and-span newness, from the policemen's helmets to the weather-vane of the new Rathaus; out of its tense atmosphere of whirring wheels within wheels; out of its geometrically correct parks, and new and ever-growing building additions, Cracow looked to me as if it had fallen off this revolving planet and settled itself "where the wicked cease from troubling, and the weary are at rest"—wherever that may be.

The only thing that had grown since last I saw the city was its hatred of the Germans. On the doors of many stores on the Rinok were large placards which, literally translated, read: "The gentlemen travelers from Germany who wish to come in here to do business with us are politely requested to stay out."

Everything else looked the same, only more dingy; even the Austrian officers who loaf around Havelik's restaurant seemed to have lost something of their newness; for braid and buttons, two of the component elements out of which Austrian officers are made, seemed tarnished and worn.

The Jews' quarter seemed more hopeless and wretched than ever. On the Kazimir were the same haggling crowds in the same small stores, and the same shambling Jews in black, greasy cloaks. In front of the Jesuits' church stood the same twelve Apostles, and I regret to say that they were just as shabby-looking as their unbaptized brethren.

Cracow, the capital of the freest portion of divided Poland, is certainly as wretched-looking as Warsaw, where Liberty dare not lift her head; and it cannot compare with any of the cities of German Poland, where the Prussian gendarme is trying, at the point of the bayonet, to cram German speech down the unwilling throats of Polish children.

Why, I asked myself, should this shabbiness, this negligence, this run-down-at-the-heel appearance prevail in all the Slavic cities, from Belgrade to St. Petersburg, and from Cracow to Irkutsk? Why should this be so of every place except where the German has stepped in with his iron heel, or where the Magyar or the Jew is trying to make of the Slav what he is not and does not care to be?

I was tempted to take the first train out of Cracow, so painful to me was this condition of affairs, for I admire the Slavs, although I think I know their weaknesses. But the first train did not go until midnight, and I had nearly eight long hours on my hands. Then I remembered my letter of introduction. I found it with my passport and letter of credit, and looked at it again to assure myself that it was right. Yes, it was addressed to the Countess So-and-so, and all the way to the house I pictured to myself my friend's mother-in-law. She would be rather rotund, for Slavic women incline that way, especially during the full moon of life. She would have gray hair, dark complexion, and a rather pronounced down on the upper lip. That seems to be the tendency of the Polish woman as she

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grows older, perhaps because of her great vitality.

Beneath the portal of a so-called palace, which was pervaded by an incredibly strong smell of whitewash, I presented my card to the porter, who looked somewhat contemptuously at the German name it bore. After long waiting I was guided to the very top story of the house, through clouds of falling mortar and showers of broken brick. The building seemed to be in the possession of masons and plasterers, and the noise they were making was as confusing as the dirt and dust their destructive hands were creating.

Two surprises awaited me. The first was that, in spite of the fact that the roof was partly torn off and confusion reigned supreme, that top story contained some of the most lavishly appointed apartments that I have ever seen. Pictures, statuary, and bric-à-brac, created by Polish genius; costly vases, rare flowers, exquisite rugs and furniture—everything was in perfect taste. If Cracow without seemed dingy and dead, here it was brilliant and alive. Thus had I pictured my Slav at his best—imaginative, creative, reveling in the beautiful, lavish of color, yet creating harmonies. Everything around me seemed to breathe out life, and here I could understand the "Noch ist Polen nicht verloren;" although in the street I had been ready to sing a requiem for the nation.

A hundred questions passed through my brain; questions which I would ask the mother-in-law when she appeared. Then came my second surprise. As I sat there, thrilled by contending emotions, the curtain opposite me was thrown back gracefully and quickly, not at all as if a short, stout mother-in-law were behind it—and my eyes fell upon one of the most beautiful young women I have ever seen. This again was Poland at her best, if not Poland typified. Her eyes were burningly eloquent, yet showed a hidden pathos; her features looked as if chiseled by a master's hand, yet in the background the crude touch was faintly visible. The welcome accorded me was genuinely cordial, yet tinged by the proper reserve.

"How is it," I asked, after some conversation, "that you don't look like a mother-in-law, and that you speak English as if you came from Boston?"

"Because," she said, with the sweetest smile, "I am as yet only a sister-in-law, and I do come from Boston. That is, I lived there for years after my parents were exiled from Poland. I came back here after my marriage."

Here, then, was my chance to ask all manner of questions about the Slavs in general and the Poles in particular, and have them answered in the light of a rather unique experience.

"Why is Cracow a dead city?" This was certainly a perfectly familiar American question, and I received a characteristic answer.

"It is dead because it is crying over spilt milk. Nobody is regarded as a patriot unless he talks about our past glory and blames some one in general and the Germans in particular for the loss of that glory. We might do great things if we would just do them. We have the vision and the talent; but we wear ourselves out saying what a great people we are and how superior to all other human beings; yet we accomplish nothing. Look at this house of ours, and you see Poland in miniature. I don't know just how old it is—my husband can tell you; but when it was built the work was poorly done, and every year it has to be repaired from the bottom up. In America it would have been torn down years ago, and a new house built, to suit the needs of the times. Instead of that, my husband is spending a fortune trying to make it a fit place to live in, and he never succeeds.

"Yet that is the thing he enjoys. He can scold the workmen half the year for dragging their task along, and the other half-year he scolds them for having done their work so poorly.

"You Americans enjoy being comfortable, we Poles enjoy being miserable. If the Polish men had half the energy of the American men, we would indeed be a great people, and Cracow a city worthy of our pride in it."

I am not sure that I am recording the Countess's exact words, for to see her talk was such an æsthetic pleasure that I must have forgotten much that she said, but I give the substance of her words.

"See what America is doing for our peasants," she continued. "They go there lazy and shiftless, and they come

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back thrifty and industrious, and are rapidly taking the places of our decayed nobility. When they come back they have what we Slavs have always lacked—initiative. I wish we could export to you all our stock of Counts."

I suggested that she might try it as a business venture; for they would bring a good price in our matrimonial market.

"Oh, no!" she replied. "We should want them back. They have talent and devotion; they need only to learn to work, and America is the world's great boss."

At this point in the conversation the Count entered the room. The Countess had told me that her home was the type of Poland; she had not told me what I soon discovered, that her husband was the typical Pole, both physically and mentally.

He was a small man, with unmistakable Polish features, which looked well worn; for, being a Polish nobleman, he had traveled through life swiftly and indulgently. After scarcely five minutes' conversation, he began talking about the sufferings of the Poles, and what they would do if it were not for those wicked Germans.

Then followed what was as nearly a family jar as I care to witness. My hostess opened wide her beautiful eyes, and, in most forceful Polish, gave her "liege lord" a piece of her mind.

"I am tired of your tirades against the Germans. I don't admire their methodical ways myself; but they are doing things.

"Go out of Cracow to the border and look across, and you will see order on that side and disorder on this. Step into a German train; it is clean and efficiently managed, while our cars, from the first class to the third, are dirty and ill lighted, and the trains go by fits and starts.

"Go to the German towns, and you will find business flourishing; while ours stagnates. They don't neglect art, either. Their music may be slower than ours, but it is art; their paintings may not be as brilliant as ours, but they are as artistic. Go to work! Do something worth while! Build from the foundations! Develop some backbone, some character, do better than the Germans, and then you may call them names!"

The sensitive nostrils of the husband grew wider and contracted again. He was furiously angry; but facing him was his Americanized wife, and he knew that discretion was the better part of valor; so he permitted his anger to cool while he nervously bit the ends of his mustache.

"Yes," he said, ignoring the Countess's outburst; "there is a great future for us Slavs when we all get together. We were in Prague this summer, at the Slavic Congress, and everything between us was so harmonious that I have great hopes of a Slav Confederation. Then we will crush our German oppressors. What do you think of it?"

I analyzed the situation thus: "As yet the Slavs lack racial consciousness. Each group, no matter how small, thinks itself different from the other, and often superior to it. Not only are they divided by small historic dissimilarities, but religious differences have obscured racial unity to such a degree that I have but little hope that that consciousness will soon ripen into tangible results.

"In the great game of politics the Slav has given his soul as a pawn with which popes and patriarchs have gambled. Poland's national life has been lost, not so much by corruption from within, as because the Pole was used as a tool by the Roman Curia in the game of world politics she was playing, and playing unscrupulously."

Ah! It was good to see the Countess's dark eyes dancing from pleasure while I thus analyzed the situation. I continued:

"The Slav either lacks sane pride in his race, or he has an overbearing conceit; he is either easily crushed, or he crushes ruthlessly. Look at this daily paper. In Dalmatia the Serbs break the windows of the Italians, and tramp madly through the streets proclaiming their superiority over the Latins. In Laibach the Slovene does the same thing to the Germans—tears down German business signs, shoots and is shot in turn. In Prague the Czechs are constantly bombarding the houses of the Germans, until martial law has to be declared. All this to the detriment of the development of a rational racial pride. And these same boisterous, roistering Slavs to-morrow will cringe before their Magyar and German masters.

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"Another thing is in the way," I hastened to add; for I saw that my host was eager to talk. "The Slavs lack collective wisdom. Where there are three thinking Slavs there are always three quarrels. People who wish to rule must learn to act wisely together; yet in the history of the Slavs this collective wisdom, this inability of one group to acknowledge the equality of the other, has been their greatest lack.

"The Russian revolution failed even as the Polish revolution failed, and as the Czechs' will fail, because they lack collective wisdom. It will take at least a hundred years," I concluded prophetically, "before you Slavs will confederate."

My host laughed nervously. "You are a false prophet. It will come in a decade. We will flow together like small rivers into a great stream. We Poles, of course, being the most cultured, the most civilized, and the best prepared to play the leading rôle, will be the stream into which all these lesser rivers will flow. In the great overture of Slavic union the Pole will play the leading part."

To reason with such a man was futile; so I drank my tea and looked at the beautiful lady opposite me, in whom the practical American and the idealistic Pole were so harmoniously blended. Perhaps in her person she was a prophecy of the great day to come.

The Count talked incessantly about Poland, its past, its powers, its enemies; but I was not listening.

From my silence he thought he had convinced me, and as I rose to go he asked: "Have you not changed your mind about its taking a hundred years to federate the Slavs?"

"Yes," I replied. "I have changed my mind. It will take two hundred years; unless"—and I looked at my fair hostess—"you bring back many more such Polish women from America."

THE STORY OF FOUR STRENUOUS YEARS

BY FRANCIS E. LEUPP

COMMISSIONER OF INDIAN AFFAIRS

IN the spring of 1905 I contributed to The Outlook the outlines of a policy on Indian Affairs which I was preparing to pursue as Commissioner. Very imperfectly perhaps, but certainly in a sincere spirit, I have striven to shape the course of the Government in conformity with that sketch-plan; and I respond with pleasure to a request for a rapid review of some of the measures set afoot during the four years intervening.

It has always seemed to me that one fundamental mistake into which our benevolent purposes toward the Indian have led us is the notion that he is a separate entity to be dealt with on artificial lines, instead of merely a part of our popular conglomerate, subject to the same evolutionary forces as the other parts, and most readily fusible with the mass when left to the free play of those forces. My first official act, therefore, was to throw down the barriers which kept him inside of his reservation, and to encourage—indeed to urge—his going out and mixing with other races in competition for a livelihood. To that end I set up an employment bureau, with an energetic young man of Indian blood in charge, to show able-bodied Indians where they could find a market for their labor, and induce contractors, railway companies, and others to give Indian laborers a trial. Through this means thousands of Indians who never before had learned how to handle a pick or a spade have been taught to turn their brawn into dollars.

In order to push along faster this mixture of the races, I have been steadily opening reservations as fast as I could allot to each Indian his lawful portion of land and secure his water rights and induce thrifty farmers to come in and

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purchase the surplus acres. I have opened nine, and others are well on the way to opening. To make the frontier wilds more attractive to the right kind of whites, I obtained from Congress legislation opening the Indian schools to white children on payment of a certain fee—this provision being designed not only to bridge over the period before the State or county could establish its own common schools, but also to bring the little folk of the two races together in friendly companionship, so that they would grow up unconscious of any race antagonism.

Of course my first movement in these directions was met with a remonstrance from some philanthropic friends who saw only the sentimental side of the question, and who reasoned that the morals of the Indian would be perverted by bringing him thus into close contact with the white frontiersman. To this argument my answer was threefold: first, that the only alternative was to keep the Indian always in a reservation, like a child in a nursery, sapping his virility by unnatural restraints, and leaving him more than ever at the mercy of the overmastering Caucasian when at last the barriers should have to give way; second, that though there might be many individual missteps, some of them fatal, in the long run the good effects would outnumber the bad; and, third, that the chief human foe of the Indian—the dealer in intoxicating drink—could be fought more successfully in the opened than on the closed reservation.

For a time it seemed as if this concluding proposition would be disproved by circumstances. The Dawes severalty law made every Indian a citizen as soon as he had received his allotment of land; and in the hotly contested Heff case the Supreme Court of the United States decided, in effect, that, as far as the Federal authority was concerned, any citizen might lawfully buy liquor and any dramseller might lawfully sell it to him. As I had always expected such a decision, I was not startled by it; but it was gratifying to see how it stirred the conscience of Congress and the public. The awakening bore fruit in the Burke Act, which, as to future allotments, deferred the citizenship of the Indian allottee till his first trust patent should be exchanged for a patent in fee at the end of his tutelary period. This put the Indian where the Government could still protect him measurably from his enemy; and thereafter began a series of increasing appropriations for fighting the liquor traffic in the Indian country, which gradually expanded the original ten thousand dollars a year to fifty thousand, and has enabled me to put into the field a secret service second in efficiency to none in the world.

But the good effects of the Burke Act were not limited to this one domain. It has broken up the practice, among a certain class of political bandits, of herding Indian voters like cattle and "voting them" in a mass at the polls. It has knocked in the head the un-American absurdity of endowing with the ballot, with power to use it for disposing of your property and mine, a man who, by the very same statute, is legally branded as incompetent to dispose of his own! Finally, it did away with the arbitrary term of tutelage, with its assured concomitant of dangerous special legislation, by empowering the Secretary of the Interior, as soon as he was satisfied that an allottee was competent to take care of himself, to turn over to him a patent in fee to his land. This has released from leading-strings thousands of persons technically Indians, yet as capable as the rest of us of looking out for their own affairs if once given a chance.

So much for the Indian's land. With respect to his money a parallel policy has been pursued. By legislation procured soon after the passage of the Burke law, any Indian who can satisfy us that he is competent may draw from the tribal funds his individual share and make such use of it as he pleases, the Commissioner and his field officers holding themselves always ready to advise him when he needs or asks such help. In order to carry out this idea more thoroughly, I have sent special agents to the several tribes who, under old treaties, draw perpetual annuities, to negotiate for the capitalization of these annuities in one gross sum, and thus wipe off the books the anomalous makeshifts of an earlier generation. To show to what follies the perpetual annuity system may run, there is to-day one tribe, some of whose members will drop their work and leave their homes uncared for during an absence

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of several days, for the sake of drawing an annuity of forty-seven cents! And the Superintendent and his clerk have to neglect more important duties in order to find time to write the checks necessary to make more than two thousand such ridiculous little payments.

Under the inherited-land-sale law, any Indian who falls heir to an allotment may elect whether to keep the land or have it sold for him to the highest bidder. He usually prefers to sell. In such case the money is now placed in the nearest National bank which will give bond for its safekeeping and pay a reasonable interest for its use. The account is opened in his name, and he is duly introduced there, as a first step toward teaching him the methods of modern business; but his checks can be validated only by the counter-signature of the Superintendent in whose jurisdiction he belongs. The old rule used to be to permit him to draw not more than ten dollars a month—an amount which, in the case of a worthless Indian, served only to magnify his worthlessness, and in the case of an Indian who was trying to support himself not only gave him no effective assistance, but was an incentive to occasional idleness. The rule has therefore, after much consideration and some experiment, been completely revised, so that now an Indian who is able to work may not draw any of his deposited money for ordinary current expenses, an Indian who is helpless may draw whatever appears necessary for his comfort, and one of either class may draw as much or as little as may be needed for the improvement of his home or farm or any other desirable form of permanent investment. Competent Indians are given freedom to draw their checks without counter-signature.

To meet the needs of old, mentally deficient, blind, crippled, or helpless Indians, legislation has been procured and regulations framed which enable us to take care of them. This change grew out of my meeting, three years ago, an aged and decrepit Indian who owned an excellent allotment which the law forbade him to sell, who could not touch a dollar of his tribal fund, yet who was suffering for lack of the simple necessaries of life. When I appealed to some of our lawmakers for help to relieve this situation, they responded heartily, and in a little while we had the statutory provisions enacted which enable us to sell the land of such a poor fellow, and dole out the proceeds to him as his needs require, and to segregate his share of his tribal fund and deal with it in like manner.

To start Indian children along the same road to citizenship that children of other races must travel in this country, I have everywhere encouraged their parents to place them in the nearest common school, if that were practicable, and have paid a small sum to the local authorities for their tuition there. I have also been steadily expanding our system of Indian day schools, and conducting them on such a basis as will enable us, when the country in their neighborhood becomes pretty well settled with whites and the machinery of public education has got into working order, to turn these little plants over to the State or county, to be used thereafter as common schools for Indians and non-Indians on an equal footing. By degrees, as conditions warrant, I am trying to get rid of our boarding-schools, where the Indians receive everything gratuitously, as I believe such a system is bound to undermine the self-respect of any people upon whom it is forced.

In the same direction is my rigid enforcement of the rule that every able-bodied Indian who receives anything from the Government must pay for it in one way or another. As a result, we see fewer agricultural implements rotting and rusting in the fields where they have been abandoned by their owners, who, like the rest of the human race, attach no value to that which cost them nothing. Even in the matter of medical attendance, I am gradually weaning those Indians who have reached a certain stage of intelligence from depending on the Government for free doctors and free drugs, and arranging to have them pay a small fee for what they get, preparatory to the day when they will be obliged to shoulder the whole expense like other persons.

I am sorry that the limits of space fixed for this article forbid my going into further details as to the work of the last four years in:

Organizing a systematic campaign

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against the two great scourges of the Indian race, tuberculosis and trachoma;

Encouraging the development of the natural resources on reservations, such as water powers, mineral deposits, timber, reservoir sites, peculiar soils and climates, and the like, and to this end establishing co-operative agreements with other bureaus of the Government engaged in expert scientific and economic work;

Liberalizing the conditions of trade on the reservations, but discouraging the running of book accounts at the stores;

Provoking litigation wherever we can thereby settle judicially an important feature of Indian law;

Establishing rolls of honor on reservations where the Indians receive payments of capital funds, so that only those who lead sober and respectable lives shall be permitted to handle the money of their minor children;

Substituting the thumb-print for the old cross-mark with signatures of illiterate Indians;

Giving the Indian Service printing, as far as practicable, to the printing offices at the schools, thus reducing expenses while training the boys in the practical side of the typographic art;

Expanding the outing system at the schools, so as to put the young people into mechanical shops as well as on farms and in families;

Preserving and improving all that is best in the Indian handicrafts and fine arts, and teaching English composition and penmanship in the schools by having the children write their recollections of their home life and the folk lore of the tribes;

Protecting for public and scientific uses the relics found in ancient Indian ruins;

Reducing to the point of substantial elimination the friction between the several religious bodies engaged in Indian mission work or represented in the schools;

Improving the business methods of the Indian Office, and keeping up a continual interchange of personnel between headquarters and the field staff;

Bringing the whole Indian Service under the civil service rules, including the agents who were formerly political appointees;

And setting a score of other progressive milestones in place.

In brief, I have tried to individualize the Indian, just as the Caucasian is individualized; to treat him, after he has passed the barbarous stage, as a potential citizen, not to be overgoverned, or hypercritically interfered with in his personal attire, his food and drink, or his customs; and to give him all the liberty he can enjoy without trespassing upon the rights of others, but hold him, in turn, to strict account whenever he crosses that boundary.

THE EXPERIENCES OF A WOMAN INDIAN AGENT

BY CLARA D. TRUE

WHEN Mr. Leupp promoted me to be Indian Agent at Morongo, near Banning, in southern California, a year ago, I was given no orders as to what to do. The first night I spent on the Morongo Reservation I decided to resign. The second night I was up till two o'clock outlining what to do in case I should stay. The third I spent planning how I could repair the jail in case there was opposition to my schemes. I couldn't quite see how to make the reservation jail hold a prisoner, but after several hours of drawing things with my pencil the inspiration came to me—"When you need to hold an obstreperous prisoner, have the policeman take away the victim's trousers till the sentence is served." The scheme proved simple and effective. Most of the work I have done has been after this fashion, merely finding a way out of hard places.

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I notice with mixed feelings the outline I made on the night I decided to stay. Here it is:

1. It is my duty to make everybody happy if I can. There are too many people abroad who are not dispensing pleasure. I will get all the fun I can out of this myself, and try to divide up on smiles.

2. I am going to work to improve things along natural lines wherever possible, and where it is not possible I'll do it anyway. The improvements I see needed are in the following matters:

A—*Physical.* There is too much dirt about. These things must be cleaned up:

(*a*) Bodies. There must be a better water supply available for domestic use. I must have a woman to teach home-making if I can find one who will not make too many scraps while she is teaching the women at home.

(*b*) Houses. There are too many families living in one den. I must make them scatter out and build more.

(*c*) Farms. There are acres of land in brush. I must have it in cultivation; but to make the Red Man want to dig out the roots is going to be a tough old task.

B—*Moral.* Few of the people I am to spend time with seem more interesting or spiritual than a brickbat, yet they are said to have souls. I'll see if they can be made conscious that they have. To begin, I'll see if I can get enough of them sober at once to experiment with. To do this I must have some few Prohibition campaigns to prevent—

(*a*) Drinking wood alcohol, tobacco juice, and fermented tomatoes, of which the Indians' drink is made by the whites.

(*b*) Every known sin which springs from uncontrolled animal nature. Women are being sold at ten dollars per head within sound of the church bells. If they stayed sold it would not be so bad; but they are not worth ten dollars, and the men soon regret the purchase.

(*c*) Gambling. Everybody in the world is a born gambler. I'll see if I can set the Indian to staking against the right sort of a game.

C—*Educational.* I have a little day school equipped with a chart and a stick and a few yards of poor gingham. I'll work to make the whole reservation a big daily training-school, with the whole population for pupils. The class-room shall become only the nursery division.

D—*Religious.* Every fellow who belongs to a church on this reservation has to be a good member or break rocks on the road. I see three factions at work in the religious world here, Moravian, Catholic, and Pagan. I do not see any difference in the outward life and conduct of the population, and I infer that any discrimination on my part would not be just. I'll give all three a square deal for the present, and I don't intend to allow any religious pulling of hair. If the missionaries help me, I'll help them. If they don't, I'll put them off the reservation as dangerous characters. Undigested creed is to the mind what green apples are to the stomach. I have seen Indians fed too much green religion. I cannot afford to do without the saving truths of Christianity enunciated from the pulpit, and I am going to have them well done if they are not already so preached.

In all schemes I shall need co-operation of both the Indians and the whites about. Most people are good fellows if one shows himself willing to learn. I'll use good wherever I find it, and turn every natural advantage to my account. There's something in kicking down the wind. I'll make the Indians save themselves. I'll be Jesuit enough to hang my improvements on pegs already provided wherever I find any I can use. Nobody has ever excelled the early fathers in leaving impressions upon the Indian mind. This came from the ability of the fathers to recognize good under whatever name they found it, and to improve upon the good.

If I make enemies, I want good ones. I can hardly afford to do without the opposition necessary to make one's friends stand by one. I cannot afford to do without the mental exercise I'll get from having to bring people to my way of thinking. I'll look around for a wisely chosen adversary. This will be a fine thing for the Indians, who are divided into as many factions as a woman's club. There's nothing like having a foreign foe to heal domestic wounds. If Heaven will send me a good friend and a good enemy, I'll get along.

I am going to keep well. I'm at a disadvantage in being an old maid, but if I get a case of nerves, I'll be unendurable.

I'm going to be under control as to temper if possible, and if this is impossible, I'll bark at somebody who needs it.

I recognize my dependence upon God for the blessings I need, but I do not expect him to furnish them ready-to-wear nor predigested.

So far, everything has come my way. I have never been so healthy nor so happy. The Indians laugh more than they used to. I have had the friends and the enemies I needed. The Indians are saving themselves and enjoying it. They, not I, put a stop to the drinking. The most dissipated one has been made a Special Deputy of the Interior Department, and his work in the detection and punishment of "bootleggers" is so satisfactory that he has been sent all over the State under orders from the chief official who looks after the suppression of the liquor evil among Indians. This man's home I have

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made almost an inebriate asylum. A few evenings ago I called on an errand at the house at dusk. I observed eight plow horses coming in from the fields after a hard day's work, driven by men who had seldom known in previous times the joy of being naturally tired and hungry. Beer fat had given place to muscle, and purple faces to rosy ones. There were a good many women about putting up the turkeys, chickens, goats, and cows for the night. Among the number was a twelve-year-old girl who had been picked up from the refuse humanity of a white town, the victim of a drunken half-breed. She was in perfect health and happy, resulting from being sober and well fed and industrious since last May. This morning she and her father presented themselves in my office, clean and well dressed, to sign the papers necessary for sending the girl away to a training-school. The Indian officer who has largely brought about this and scores of other changes just as happy, told us in an employees' meeting Saturday night that he would take a rope and hang himself if he failed to live up to a man's standard, since so many people are depending upon him. I thought of my old outline for making the Indian save himself.

We have fought a good fight to stop the use of intoxicants, and in stopping that we have remedied most of the other evils, for there was not one founded upon anything else. Some of our experiences have at times gotten into the press, but not always the best ones have become public property. There have been some organized attempts to perpetuate the practice of unlawful liquor-selling upon reservations, as the profits are so large. The last one has been told in various "wild and woolly" ways. There was nothing spectacular about it. I had information that I was to be tied with ropes to a tree if I appeared at a certain fiesta to interrupt the carousals. I had previously controlled one at the same place. I appeared at the celebration in a manner unexpected by the whisky peddlers, shortly after midnight, accompanied by nine good-sized officers properly panoplied. The rest was easy. The mixed-blood who had planned the opposition was the first man we encountered. He ran. We got him. He is serving time. A few shots were fired that night, but no damage done. We went prepared with bandages and antiseptics, however. We have never had any bloodshed except once, and then the bootlegger was given every chance to surrender. He had to be put out of commission a little to prevent injury to ourselves. He received only a slight flesh wound, and was able to be put in jail in two days. A good many people have prophesied that I'd meet a violent death, but I have the natural advantage of presenting a very thin edge to the enemy. My Indian policemen weigh about five hundred collectively, and they have left marks upon a good many lawbreakers. They handle bootleggers like cord wood, and do so with the same spirit that animates the heavy-weight football player. They are never so happy as when loading up our wagons with victims. I do not anticipate any serious opposition. This brings me to say that there is an advantage in being a woman in my present position. To begin, these same Indian police and the white local officers as well would not be willing to assume the risks they take in my behalf were I a man able to fight my own battles. Bootleggers would doubtless hesitate longer before taking a shot at me than they would at a man. The Indian Office has supported me more heartily, perhaps, because I belong to the helpless sex. In fact, there is all along the line a spirit of chivalry which has operated in my favor. I might add that I am not a suffragette, nor any sort of woman's rights advocate. I would not exchange the privileges I have for all the rights some women clamor for. I would not vote if I could. I believe in a restricted rather than an increased suffrage. In view of my liquor suppression escapades, it may sound strange for me to say that I am not a member of any temperance organization and I am not at all sure in my own mind that I would advocate prohibition by legislation. My own experience has taught me the difficulty of executing laws of this kind. A few laws faithfully executed may be better than a good many held in contempt by the populace. White people have told me that there was no liquor sold in certain "dry" towns. A single Saturday night usually

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proves the statement an unfounded boast. Bootleggers in my knowledge have been buying wagon-loads of the vilest possible liquor in one famous "dry" town and have been peddling it in another. There is no prohibition town in this part of the country within my knowledge where an Indian could not get all the liquor he had money to pay for. Yet, were I to choose a place of residence, I would choose the "dry" town, because I have observed that a greater number of people with whom I would wish to associate live in the towns where liquor is not openly sold. However, in these towns I have noticed liquor more universally used in the homes. I have never been offered liquor in a San Bernardino house, although this is the most widely known "wet" town of the region. I have had no difficulty in securing the conviction of bootleggers in San Bernardino, and to the local officers of that county and town I owe much of my success. I am nothing of a politician, however, and I have no ideas on the making of laws for the regulation of human conduct as regards the consumption of intoxicants. Doubtless restrictions are needed, but I am not prepared to give unqualified assent to any with which I am familiar. It is my official business to prevent the sale of intoxicants to Indians because I am a representative of the United States, the law-making department of which passed an act forbidding the giving or selling of liquor to Indians. I would just as vigorously hunt down and punish venders of milk were the sale of milk to Indians forbidden by law. To be sure, my private opinion is that permission to use intoxicants at discretion should not be granted to Indians any more than to children, since an Indian before the law is not considered as having attained his majority. A "square deal" to him means that we do not intend to permit him to injure himself with something he does not know the danger of, any more than we would permit a baby to crawl into a pretty fire. I mention this because a good many people have given me credit for preaching a temperance crusade, which I have not done and have no intention of doing. The moral elevation of the Indian on all lines has an economic value to the country. We do not wish him to remain forever a public charge. This idea has been at the foundation of my efforts to prevent the use of intoxicants by Indians. I have been truly indignant upon several occasions to be represented as the central figure in a Carrie Nation extravaganza.

Turning from whisky to water, we are now busy expending ten thousand dollars for water development upon the Morongo reservation. We are boring a tunnel into the source of the water supply at the head of our little creek, that we may bring the water out of the hill above ground and use it before we allow it to escape under the sands to the Salton Sea. We are sowing several hundred acres of barley, which we can raise without irrigation. The earth is brown in every direction with the furrows of the plowman. Three of the latest pattern disc plows are in successful operation. I requested and received authority to purchase such farming implements as were in use by the whites of the neighboring country. I have issued these to Indians in exchange for labor. No Indian of my territory receives unearned benefits. The substitution of suitable tools for carelessly selected ones purchased at a distance and not suited to Indian needs has been one hindrance in the development of the reservation. Mr. Leupp has made it possible for the hustling superintendent to have the right kind of tools.

New houses are being built in several directions. I am building one for a residence of simple materials procurable by an industrious Indian, planned with a view to the Indian way of living, so that the building may appeal to the progressive. The main living-room will be practically out of doors in good weather. This came from studying the Commissioner's idea for an out-of-doors school-house. Indian labor is largely employed on the little cottage, and unskilled labor at that, under the supervision of a kindly workman who knows his business.

I have found the people I needed to help me, both friends and enemies, and I do not know which have been more useful. I have a "housekeeper" or field matron who has made a convalescent ward of the whole reservation at Morongo. About one-third of the Indians are afflicted with consumption in some form; another

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third with disorders resulting from dissipation. These and the innocent victims are ever present with us, along with the indigent old folks. We are planning ways of developing a hospital notion among the Indians themselves. Our health officer is an Indian. We take the Indians into our plans and try to educate them at every turn. Our tribal affairs I have placed in the hands of a body called "The Land and Water Board," composed of five members, four of them Indians. I am the fifth member. The business a superintendent usually looks after I trust largely to this body. The employees of the reservation have been organized, and work to each other's advantage, just as the faculty of a college does. The missionaries belong to the association in order to prevent our work from overlapping or our plans conflicting. The Catholic priest and the Moravian missionary are part of ourselves. Of this association of workers, the teacher, two police officers, the members of the Land and Water Board (except myself), the health officer, the judge of the Court of Indian Offenses, and the "capitan" of the band, or chief, are Indians. Except one, the Indians mentioned are full bloods, and are not "educated" in the ordinary sense, except the teacher, who is not distinguished for scholarship, but who is a power nevertheless. I took the strong Indians in hand and had them work with me. I knew very well that if I did not, they would work against me. I am an advocate of as much individual liberty as possible rather than a great amount of centralized control; hence I am laboring to make Morongo govern itself. We have reached a point where every man, almost, is his own policeman. I do not hesitate to be arbitrary when this seems best. There are times when things are so because I say so, but these times are less frequent than one would suppose. I must say for the Indians that no body of men could treat me with more consideration than these men show. I have never mentioned any point of etiquette to them, yet at the councils I am treated with as much courtesy as a princess of the blood might receive. Upon numerous occasions I have been the only woman present at a council which lasted till midnight, where debates were often heated, and I suffered less mentally than when I have been presiding at a session of the Ladies' Aid.

We have reached the place where wholesome diversion is a need. I took away so many of the pleasures of conviviality that I had to substitute something better. We have frequent tribal feasts, with a "spread" for everybody. The food is simple but tastefully served. I utilize the knowledge of the "returned students" here. The girls cook and set tables. The boys play ball and run races. Sport of some kind is provided for everybody, and I do not look too closely into the diversions. I believe in not seeing too much. We expect our tribal celebrations to become better and better. Next August we wish to have an old-fashioned County Fair for the reservations under my care. This winter we have planned a series of "shows" for the Indians. I am outlining a programme which includes talks by good business men upon banking, fruit-growing, road-making, and similar practical topics. We shall try to have music provided by the young people, and whatever will be of wholesome interest "goes." I shall try to catch interesting people who come along from time to time. I trapped a man to-day who will talk to us about Alaska one evening. The Indians are a good deal like children in being fond of pictures and tales. Many of the older men who speak English cannot read or at least do not read well enough to enjoy the daily paper. We do not realize the hunger these men have for knowledge beyond their power to obtain. Few people care to discuss affairs with an Indian, and he misses the pleasant intercourse with the outside world which every one needs to prevent his becoming self-centered and sorry for himself.

At every turn of the work I have had the hearty co-operation of the churches. I dreaded them a year ago, because I have been upon Indian reservations where the churches were out of sympathy with both the Indians and the Government, and were the source of disgraceful discord. The old-time idea that a man was called to bear the Gospel to the heathen because he had broken down at Podunk and had to be provided for by the Board is becoming obsolete. I am inclined to place a high estimate on the value of the work

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done by the missionaries of California. I have not seen a drunken one in the State, and this is more than I can say of any other State or Territory in which I have done Indian work. I attribute a large measure of the success I have had to seeds that the missionaries of both Catholic and Protestant denominations have planted here years before my time. My reservations, that is, those which have the Gospel preached to them, have been especially favored in having sturdy, manly men sent to tell the story of the Cross to them.

The Indians have a religious life all their own, of which few white people are aware. I think the majority of Indians have not departed very far from the old beliefs, even though most of the people are members of Christian churches. There is much that is beautiful in the so-called pagan religion. In fact, among some of the more highly developed tribes there appears to be little difference between the teachings of the Indian divinity and those of Christ. One is tempted, upon intimate knowledge of some of the old people, to wonder whether the Son of Man appeared to the Indian also, or whether the Gospel preached to them by some unrecorded Paul generations ago was forgotten. The more one knows of the Indian as he really is, not as he appears to the tourist, the teacher, or the preacher, the more one wonders. The remnant of knowledge that the Red Brother has is an inheritance from a people of higher thought than we have usually based our speculation upon. It is to be regretted that in dealing with the Indian we have not regarded him worth while until it is too late to enrich our literature and traditions with the contribution he could so easily have made. We have regarded him as a thing to be robbed and converted rather than as a being with intellect, sensibilities, and will, all highly developed, the development being on different lines from our own only as necessity dictated. The continent was his college. The slothful student was expelled from it by President Nature. Physically, mentally, and morally, the North American Indian before his degradation at our hands was a man whom his descendants need not despise.

The destiny of the Indian is no longer what Mr. Dooley facetiously described as "a diving-bell in the Pacific Ocean." More abundant wealth and leisure than our grim, hunger-ridden ancestors knew have made us more able to be just. A spirit of brotherhood which is felt in all the ends of the earth is stirring the heart of the Nation. The Government is bending its energy toward lifting the Indian to his feet, so that he as well as we may walk in integrity before God, following the footsteps of the Man of Galilee.

PUBLIC OPINION

TOLSTOY ANOTHER VIEW

"The flat contradiction," says Mr. Roosevelt, in his article in The Outlook on Tolstoy, "between his [Tolstoy's] theory and practice in such matters as his preaching concerning the relations of the sexes, and also concerning private property—for of course it is an unlovely thing to profit by the private property of one's wife and children, while affecting to cast it aside . . ." What suggestion does this sentence convey? Plainly that Count Tolstoy is something of an actor, consciously or unconsciously a hypocrite. To those ignorant of the Russian nobleman's way of living this will be the impression produced. Therefore I should like to ask Mr. Roosevelt the direct question, In what way does Tolstoy profit by the private property of his wife and children? When I first knew the Count, some twenty years ago, he persisted in walking from Moscow to Yasnai Polyana, mainly so that he might not profit from the money in the hands of his wife or accept benefits that he had not earned. Very vividly do I recall the dining-table. At one end sat Mary Tolstoy, the children ranged on either side, the Countess somewhere near the middle, the Count at the side near the other end. While the family were having excellent food, I, the Count's visitor, had to be content with the simplest, cheapest food put before him, which he surely earned that very morning by the *manual* work he had performed upon the estate, even if no account is taken of the royalties and publishers' premiums which

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came to the Countess through the mental work of her husband. The clothes worn by Tolstoy were of no better material, nor did they cost more, than the clothes of the servants about the premises. They were in striking contrast to the beautiful pale-blue silk worn by the Countess and the smart uniform of the eldest son. The poor little cot in which Tolstoy slept, the bare bedroom divided by a half-partition from the equally bare study—surely these were in sufficient opposition to the other selections of the home; and when this Russian nobleman insisted upon performing all the menial work around his room, as he did, so as not to call upon a servant, and when he mildly took me to task for being willing to "live off of" others, I could not see, nor can I yet, how Tolstoy can push his independence further, unless he insist on an entire separation from his family; nor am I able to see how any one in his position can cast aside more conscientiously whatever material comforts or advantages may accrue from the possession of private property.

It is charitable to believe that Mr. Roosevelt's pen slipped when he wrote, "I think he has swayed or dominated only the feeble folk and the fantastic folk." It has been said, I have heard it said, that the dark shadow of K. P. Pobyedonostseff dared not fall over Yasnai Polyana. The only man, so far as I personally know, who had sufficient courage to utter plain truths to the Procurator-General was Tolstoy. Has Mr. Roosevelt forgotten that, largely in deference to an undercurrent of strong public feeling (if we may say that in Russia there ever is anything like what we mean in America by public opinion), even the Czar thought it advisable to stop off at the Tula railway station in order to confer with Count Tolstoy? The sentiments expressed by the Reformer in that interview, notable for moral courage, were many of them of a practical character and did not show that Tolstoy's ideas were mainly for feeble folk. Mr. Roosevelt says: "In the United States we suffer from great moral dangers, but they are for the most part dangers which Tolstoy would neither perceive nor know how to combat." How has Mr. Roosevelt reached this conclusion? We may agree, from the American point of view, that the Russian nobleman does not know how to combat our peculiar National dangers, but it is going too far to say that he does not perceive them. If I can trust my note-book, which records an interview with him on the dangers threatening the United States, I think I can safely say that he perceives (or did at the time of the interview), with great clearness, our real moral dangers. It was amazing to me to note his intimate knowledge of our conditions and his grasp of the forces at work in a new country. I am very far from accepting the remedies suggested by him, but for that reason I do not class them as vague, visionary, or comic. I may be mistaken myself, as many of my countrymen may be, on the vital practical issues of the day.

(Rev.) THOMAS VAN NESS.

Boston, Massachusetts.

Although Mr. Roosevelt's absence from the country makes it impossible for him to see this communication, we give it to the public on our principle of always endeavoring to give the other side a chance to be heard. Mr. Van Ness's letter seems to us, however, to confirm rather than to neutralize Mr. Roosevelt's contention. To live in a palace and yet sleep on a cot, wear peasants' clothing, and eat the simplest food, throws no light on the industrial situation and furnishes no example for profitable imitation, and is the action rather of a dramatist or romancer than of a philosopher. And, despite Mr. Van Ness's contrary opinion, we still think that Tolstoy's exemption from arrest is due, not to a public opinion which the bureaucracy dares not defy, but to the fact that the bureaucracy recognizes the inefficiency of his teaching to arouse any effective opposition to corruption and despotism.—THE EDITORS.

THE TWO AMERICAS

In The Outlook of May 15 is a graphic account of the liberal and effective aid that has been given to the suffering Italians by the American people. In the same article is the following report of an interview with the King of Italy: "When I spoke of the disaster, he said that the American duty on lemons was almost as great a disaster for Sicily as the earthquake."

This duty is put on in order that the rich and prosperous owners of the lemon groves in California may get a higher price from the poor people on the Atlantic coast, who would, if there were no such duty, provide a better market for the poor lemon-growers of Sicily. It is much cheaper to bring lemons by sea from Sicily to New York than it is to bring them by land from California. The Italian lemon never can compete in the West with the California lemon. But is it right to put this heavy burden upon the consumers on the Atlantic coast, and upon the poor people of Sicily, in order to increase the profits of the rich and prosperous on the Pacific coast?

The duty under the Dingley Bill was one

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cent a pound. The Payne Bill raises it to a cent and a quarter a pound. The Senate Finance Committee has still further increased it to a cent and a half a pound. It is said that the increase in duty proposed by the Payne Bill was really to benefit the Southern Pacific Railroad and enable it to keep up the present exorbitant freight rate of twenty dollars per ton on lemons, from California to New York. Whether this be true I cannot say, but I am certain of this: that if it be right for the American people to help the sufferers from the earthquake, it cannot be right for them to impose a burden which causes an equal disaster to the same sufferers.

EVERETT P. WHEELER.

New York City.

THE COMMODITIES DECISION

After a careful reading of the Commodities Decision, based on a three years' experience in investigating the relation of the railways to the so-called "controlled" coal companies, the following queries seem to me pertinent:

Are the various coal companies, the stock in which is owned by the Pennsylvania Railroad Company, the Erie Railroad Company, the Lehigh Valley Railroad Company, and the Central Railroad Company of New Jersey, bona-fide corporations?

Do the circumstances under which the coal stocks have been pledged under the railway mortgages, and the text of the latter, suggest a legal interest in the coal companies on the part of the railways, though the mere stock ownership does not?

Can the coal mined and shipped by the coal companies referred to be held to be produced "under the authority" of the railways?

Neither of these questions has been passed upon by the Supreme Court in its opinion; and they now await the action of the Department of Justice.

I will pledge my head that the "authority" of the railways in the production of the subsidiary coal can be proved *indubitably*. The other points admit of some question.

EMLEN HARE MILLER.

Philadelphia, Pennsylvania.

RELIGIOUS DISSIPATION

"Timely" is indeed a good title for the editorial of The Outlook on President Taylor's protest against allowing "would-be reformers" to use the student body of a college for a "recruiting ground." There is a still worse phase of the question. It is all too often that these agents of one or the other propaganda break into the college fold, because here they find in the plastic body of young and eager souls a handy and effective tool.

A "highly commended evangelist" came to a college and had the effrontery to ask the faculty to suspend certain college engagements that the students might attend the meetings in "the big tent." By the slyest of innuendoes he propagated among the students a feeling of resentment against the faculty for their refusal, until, emboldened by "amens," he dared to say, "I hope these meetings will go on until there will not be an unconverted member of the faculty left."

He wanted the body of young people, sparkling with spiritual eagerness, for a tool. He triumphed over the faculty, and marshaled the students in solid phalanx, and marched them through the streets of the little city, singing evangelistic doggerel, to "the big tent."

A body of students thus tampered with come to the class-room in the same ungirt condition that one does who has been on a physical debauch.

L. T. WEEKS.

Lebanon, Illinois.

THAT LINCOLN "QUOTATION"

I notice in The Outlook for May 8 a communication from John C. Freeman, of Madison, Wisconsin, on the origin of the alleged quotation from Lincoln: "I see in the near future a crisis approaching that unnerves me," etc. This same "quotation" was made and circulated through this part of the country in 1891, and again in the campaign of 1896. In both years I wrote to Mr. John G. Nicolay, one of President Lincoln's private secretaries, concerning it, and received an answer to each letter written to him. The one written in 1896 in answer to mine of that year I give *verbatim* below. It speaks for itself.

Shenandoah, Iowa. G. B. JENNINGS.

Washington, D. C., Oct. 15, 1896.

G. B. Jennings, Esqr., Shenandoah, Ia.:

My Dear Sir—I have received your letter of October 12 enclosing a newspaper clipping of an alleged Lincoln quotation about "enthroned corporations," etc., etc., followed by a statement from myself denouncing the alleged quotation as a forgery.

It is true, as you recall, that I wrote you on August 17, 1891, that the same alleged quotation, already in circulation at that time, was spurious.

All the evidence I have collected since confirms the opinion then expressed; and, having lately received many inquiries similar to yours of 1891, I wrote to a member of the Republican National Committee in Chicago some two weeks ago the statement printed in the clipping enclosed in your recent letter.

I now repeat that the alleged quotation from Lincoln about "enthroned corporations," "money power," "aggregated wealth," etc., etc., is a forgery, and that the great President never said it or wrote it, and never said or wrote anything that by the utmost license could be distorted to resemble it. It has no foundation whatever.

Yours truly, JNO. G. NICOLAY.

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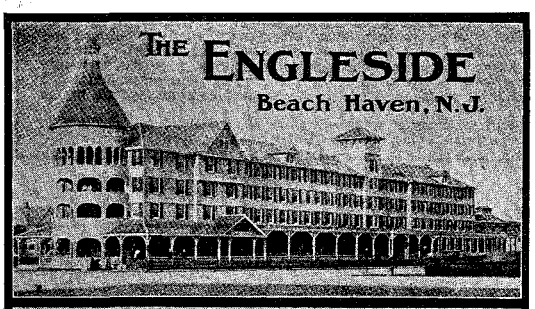

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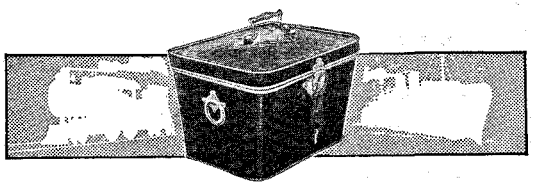

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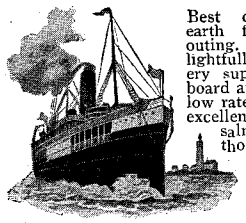

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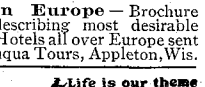

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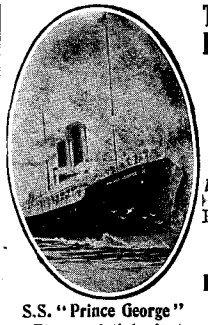

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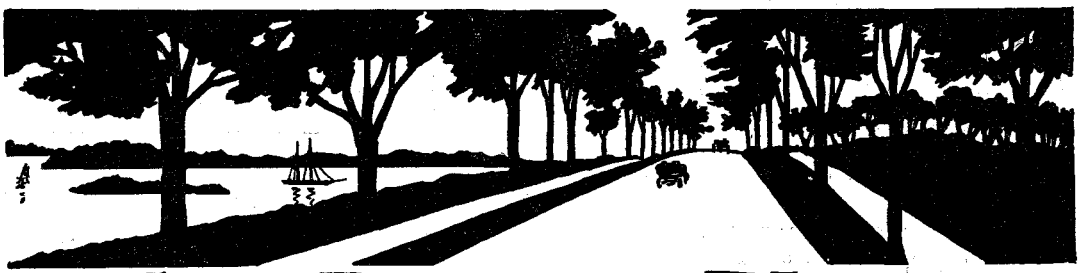

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